JOURNALS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH,

OF THE

SEVENTEENTH ANNUAL SESSION,

FOR THE YEAR 1868.

SALT LAKE CITY, U. T.
GEO. Q. CANNON, PUBLIC PRINTER,
1868.

BY AUTHORITY.

NAMES OF THE MEMBERS AND OFFICERS
OF THE
Legislative Assembly of the Territory of Utah,
WITH THE
STANDING COMMITTEES.

SEVENTEENTH ANNUAL SESSION, 1868.

MEMBERS OF THE COUNCIL.

Great Salt Lake, Tooele, Summit and Green River Counties:
WILFORD WOODRUFF, ALBERT CARRINGTON
A. O. SMOOT, JOSEPH A. YOUNG.

Davis and Morgan Counties:
HECTOR C. HAIGHT.

Weber and Box Elder Counties:
LORENZO SNOW.

Cache and Richland Counties:
EZRA T. BENSON.

Utah and Wasatch Counties:
L. E. HARRINGTON, AARON JOHNSON.

Sanpete and Sevier Counties:
ORSON HYDE.

Millard and Juab Counties:
THOMAS CALLISTER.

Beaver, Iron and Piute Counties:
GEORGE A. SMITH.

Washington and Kane Counties:
ERASTUS SNOW.

OFFICERS OF THE COUNCIL:

GEO. A. SMITH, President;
PATRICK LYNCH, Secretary;
J. M. SIMMONS, Assistant Secretary;
J. D. T. McALLISTER, Sergeant-at-Arms;
A. R. CARRINGTON, Messenger;
JOSEPH BUSBY, Foreman;
JOSEPH YOUNG, Sen., Chaplain.

STANDING COMMITTEES OF THE COUNCIL.

On Judiciary—ALBERT CARRINGTON, L. E. HARRINGTON, A. O. SMOOT.

On Claims and Appropriations—ERASTUS SNOW, W. WOODRUFF, THOMAS CALLISTER.

On Petitions and Memorials—LORENZO SNOW, E. T. BENSON, ORSON HYDE.

On Revenue—ORSON HYDE, A. O. SMOOT, JOSEPH A. YOUNG, AARON JOHNSON.

On Elections—JOSEPH A. YOUNG, A. O. SMOOT, THOS. CALLISTER.

On Counties.—E. T. BENSON, H. C. HAIGHT, ORSON HYDE.

On Roads, Bridges, Ferries and Kanyons.—LORENZO SNOW, HECTOR C. HAIGHT, JOSEPH A. YOUNG, AARON JOHNSON.

On Engrossing.—JOSEPH A. YOUNG, LORENZO SNOW, A. CARRINGTON.

On Education.—ALBERT CARRINGTON, A. O. SMOOT, O. HYDE.

On Printing.—L. E. HARRINGTON, ERASTUS SNOW.

On Library—A. O. SMOOT, THOMAS CALLISTER, EZRA T. BENSON.

On Agriculture, Trade and Manufactures.—W. WOODRUFF, ERASTUS SNOW, A. O. SMOOT.

On Militia.—AARON JOHNSON, JOS. A. YOUNG, THOS. CALLISTER, E SNOW.

On Municipal Corporations.—A. O. SMOOT, JOS. A. YOUNG, HECTOR C. HAIGHT.

On Private Incorporations and Telegraph Companies.—JOS. A YOUNG, E. T. BENSON, ERASTUS SNOW.

On Public Domain and School Lands.—THOS. CALLISTER, AARON JOHNSON, H. C. HAIGHT.

On Penitentiary.—HECTOR C. HAIGHT, AARON JOHNSON, A. O. SMOOT.

On Indian Affairs.—E. SNOW, THOMAS CALLISTER, A. O. SMOOT.

On Irrigation and Canals.—JOS. A. YOUNG, E. SNOW, W. WOODRUFF.

On Postal Affairs.—E. SNOW, E. T. BENSON, HECTOR C. HAIGHT.

On Revision.—L. E. HARRINGTON, HECTOR C. HAIGHT, A. O. SMOOT.

On Unfinished Business.—JOSEPH A. YOUNG, AARON JOHNSON, THOS. CALLISTER.

On Mineral Resources.—ORSON HYDE, AARON JOHNSON, ALBERT CARRINGTON.

MEMBERS OF THE HOUSE.

Great Salt Lake County:

JOHN TAYLOR, ALBERT P. ROCKWOOD,
ENOCH REESE, JOSEPH F. SMITH.
ORSON PRATT, SEN., BRIGHAM YOUNG, JR.

Utah County:

A. K. THURBER, WILLIAM B. PACE, DAVID EVANS.

Davis and Morgan Counties:

CHRISTOPHER LAYTON, PHILEMON C. MERRILL.

Weber County:

LORIN FARR, CHAUNCEY W. WEST.

Box Elder County:

JONATHAN C. WRIGHT.

Cache and Richland Counties:

CHARLES C. RICH, PETER MAUGHAN.

Tooele County:—JOHN ROWBERRY.
Juab County:—JONATHAN MIDGLEY.

Sanpete and Sevier Counties:

R. N. ALLRED, GEORGE TAYLOR.

Millard County:—FRANCIS M. LYMAN.
Beaver and Piute Counties:—JAMES HENRY ROLLINS.
Iron County:—SILAS S. SMITH.
Washington and Kane Counties:—JACOB GATES.
Summit and Green River Counties:—WILLIAM W. CLUFF.
Wasatch County:—THOMAS H. GILES.

OFFICERS OF THE HOUSE:

Speaker—JOHN TAYLOR.
Chief Clerk—ROBERT L. CAMPBELL.
Assistant Clerk—JOSEPH C RICH.
Sergeant-at-Arms—SAMUEL H. B. SMITH.
Messenger—FRANKLIN S. RICHARDS.
Foreman—GEORGE SLADE.
Chaplain—WILLIAM W. PHELPS.

STANDING COMMITTEES OF THE HOUSE.

On Judiciary—LORIN FARR, JONATHAN C. WRIGHT, C. W. WEST, A. K. THURBER, S. S. SMITH.

On Claims and Appropriations—C. C. RICH, LORIN FARR, A. P. ROCKWOOD, C. LAYTON.

On Petitions and Memorials.—JONATHAN C. WRIGHT, T. H, GILES, ORSON PRATT, Sen., J. F. SMITH.

On Revenue.—A. K. THURBER, P. MAUGHAN, J. MIDGLEY, C. LAYTON.

On Elections.—PETER MAUGHAN, P. C. MERRILL, J, H. ROLLINS, C. LAYTON.

On Counties—W. B· PACE, BRIGHAM YOUNG, Jun., THOS. H. GILES.

On Roads, Bridges, Ferries and Kanyons—R. N. ALLRED, A. A. P. ROCKWOOD, D. EVANS, J. ROWBERRY,

On Engrossing—JOSEPH F. SMITH, WILLIAM W. CLUFF, J. GATES.

On Education—ORSON PRATT, Sen., JOSEPH F. SMITH, WILLIAM W. CLUFF, LORIN FARR.

On Printing—SILAS S. SMITH, BRIGHAM YOUNG, Jun., J. MIDGLEY, J. H ROLLINS.

On Library—W. B. PACE, F M. LYMAN, W. W. CLUFF.

On Agriculture, Trades and Manufactures—ENOCH REESE, R N. ALLRED, ALBERT P. ROCKWOOD, JACOB GATES, C. C. RICH.

On Militia—BRIGHAM YOUNG, Jun., CHAUNCEY W. WEST, A. K. THURBER, GEORGE TAYLOR, WILLIAM B. PACE.

On Municipal Corporations — ALBERT P. ROCKWOOD, L. FARR, J. F. SMITH, ENOCH REESE,

On Private Incorporations and Telegraph Companies—JONATHAN C. WRIGHT, DAVID EVANS, J. H. ROLLINS.

On Public Domain and School Lands—JOHN ROWBERRY CHARLES C. RICH, DAVID EVANS, J. H. ROLLINS.

On Penitentiary—ENOCH REESE, O, PRATT, Sen., GEO. TAYLOR, W. B PACE,

On Indian Affairs—JACOB GATES, CHARLES C. RICH, R. N. ALLRED, J. MIDGLEY.

On Irrigation and Canals—CHAUNCEY W. WEST, F. M LYMAN, DAVID EVANS, T. H. GILES.

On Postal Affairs—W. W CLUFF, JOSEPH F. SMITH. JACOB GATES, P. C. MERRILL.

On Revision—LORIN FARR, P. C. MERRILL, C. W. WEST, R. N. ALLRED.

On Unfinished Business—SILAS S. SMITH, A. P. ROCKWOOD, GEO. TAYLOR, F. M. LYMAN.

On Mineral Resources—PETER MAUGHAN, J. ROWBERRY, W. W. CLUFF, F. M. LYMAN.

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SEVENTEENTH ANNUAL SESSION, 1868.

:o:

MONDAY, JANUARY 13, 1868.

o

COUNCIL.

COUNCIL CHAMBER,
Great Salt Lake City, Jan. 13, 1868.

Agreeable to law, the Members elect of the Council of the Legislative Assembly, met in the Council Chamber, in the State House, at 2 o'clock p.m.

Meeting was called to order by Patrick Lynch, Esq., Secretary of the last Session, who then proceeded to call the roll.

Patrick Lynch, Esq., Clerk of the United States District Court, administered the requisite oath to the members elect.

On motion of Councilor Carrington, Geo. A Smith was elected President.

On motion of Councilor Benson, Patrick Lynch was elected Secretary.

On motion of Councilor Harrington, J. M. Simmons was elected Assistant Secretary.

On motion of Councilor Carrington, J. D. T. McAllister was elected Sergeant-at-Arms.

On Petitions and Memorials.—JONATHAN C. WRIGHT, T. H. GILES, ORSON PRATT, Sen., J. F. SMITH.

On Revenue.—A. K. THURBER, P. MAUGHAN, J. MIDGLEY, C. LAYTON.

On Elections.—PETER MAUGHAN, P. C. MERRILL, J. H. ROLLINS, C. LAYTON.

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On Education—ORSON PRATT, Sen., JOSEPH F. SMITH, WILLIAM W. CLUFF, LORIN FARR.

On Printing—SILAS S. SMITH, BRIGHAM YOUNG, Jun., J. MIDGLEY, J. H ROLLINS.

On Library—W. B. PACE, F M. LYMAN, W. W. CLUFF.

On Agriculture, Trades and Manufactures—ENOCH REESE, R N. ALLRED, ALBERT P. ROCKWOOD, JACOB GATES, C. C. RICH.

On Militia—BRIGHAM YOUNG, Jun., CHAUNCEY W. WEST, A. K. THURBER, GEORGE TAYLOR, WILLIAM B. PACE.

On Municipal Corporations — ALBERT P. ROCKWOOD, L. FARR, J. F. SMITH, ENOCH REESE,

On Private Incorporations and Telegraph Companies—JONATHAN C. WRIGHT, DAVID EVANS, J. H. ROLLINS.

On Public Domain and School Lands—JOHN ROWBERRY CHARLES C. RICH, DAVID EVANS, J. H. ROLLINS.

On Penitentiary—ENOCH REESE, O, PRATT, Sen., GEO. TAYLOR, W. B PACE,

On Indian Affairs—JACOB GATES, CHARLES C. RICH, R. N. ALLRED, J. MIDGLEY.

On Irrigation and Canals—CHAUNCEY W. WEST, F. M LYMAN, DAVID EVANS, T. H. GILES.

On Postal Affairs—W. W CLUFF, JOSEPH F. SMITH. JACOB GATES, P. C. MERRILL.

On Revision—LORIN FARR, P. C. MERRILL, C. W. WEST, R. N. ALLRED.

On Unfinished Business—SILAS S. SMITH, A. P. ROCKWOOD, GEO. TAYLOR, F. M. LYMAN.

On Mineral Resources—PETER MAUGHAN, J. ROWBERRY, W. W. CLUFF, F. M. LYMAN.

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Patrick Lynch, Esq., Clerk of the United States District Court, administered the requisite oath to the members elect.

On motion of Councilor Carrington, Geo. A Smith was elected President.

On motion of Councilor Benson, Patrick Lynch was elected Secretary.

On motion of Councilor Harrington, J. M. Simmons was elected Assistant Secretary.

On motion of Councilor Carrington, J. D. T. McAllister was elected Sergeant-at-Arms.

On motion of Councilor Woodruff, Albert R. Carrington was elected Messenger.

On motion of Councilor Benson, Joseph Busby was elected Foreman.

On motion of Councilor L. Snow, Joseph Young, Sen., was elected Chaplain.

Prayer by the Chaplain.

Officers sworn in by P. Lynch, U. S. 3d Dist. Clerk, and the Secretary was sworn in by the President.

Councilor Carrington presented, (C. F. No. 1,) "An act to provide for convening the Legislative Assembly during the remaining thirty-nine days of its Seventeenth Annual Session."

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the Council and House of Representatives adjourn to meet to-morrow in the City Hall of Great Salt Lake City, at one p.m. of the 14th day of January, 1868, and there hold the remaining thirty-nine days of this their Seventeenth Annual Session; and that "An act to provide for convening the Seventeenth and subsequent Annual Sessions of the Legislative Assembly," "approved Jan. 8, 1867," is hereby repealed. This act to be in force from and after its passage. Which was read, and,

On motion of Councilor Harrington, was read, and,

On motion of Councilor Woodruff, was read the second time, and,

On motion of Councilor Hyde, was read the third time by its title, and so passed and sent to the House for their concurrence

Moved by Councilor Harrington, that the President appoint a committee of two from the Council, to act with a like committee from the House, to wait upon His Excellency, the Governor, and inform him that the Council and House of Representatives of the Seventeenth Annual Session of the Legislative Assembly of the Territory of Utah are organized and will be ready in the Representatives' Hall, in the City Hall, Great Salt Lake City, at 2 p.m to-morrow, Jan. 14, 1868, or at such other hour as may best suit his convenience, to receive such communications as he may wish to make.

The following were received from the House and read:

G. S. L. City, Jan 13, 1868.

To the Honorable, the President and Members of the Council:

Gentlemen:—The House of Representatives has organized and elected the following officers:

JOHN TAYLOR, Speaker.
ROBERT L. CAMPBELL, Chief Clerk.
JOSEPH C. RICH, Assistant Clerk.
SAMUEL H. B. SMITH, Sergeant-at-arms.
FRANKLIN S. RICHARDS, Messenger.
GEORGE SLADE, Foreman.
WILLIAM W. PHELPS, Chaplain.

Respectfully,

JOHN TAYLOR, Speaker.

Robert L. Campbell, Chief Clerk.

G. S. L. City, Jan. 13, 1868.

Hon. George A. Smith, President,
and Members of the Council:

Gentlemen:—The accompanying bill, (C. F. No. 1,) "An act to provide for convening the Legislative Assembly during the remaining thirty-nine days of its Seventeenth Annual Session," has this day passed the House.

Very respectfully,
JOHN TAYLOR, Speaker.

G. S. L. City, Jan. 13, 1868.

Hon. George A. Smith, President,
and Members of the Council:

The House have appointed Orson Pratt, Sen., Joseph F. Smith, and Brigham Young, Jun., a committee to wait upon the Governor in connection with your committee.

Very respectfully,
JOHN TAYLOR, Speaker.

On motion of Councillor Carrington, the Council adjourned till to-morrow, at 1 p.m.

Benediction by the Chaplain.

—:o:—

HOUSE.

REPRESENTATIVES' HALL, State House,
G. S. L. City, U. T., Monday, Jan. 13, 1868.

The members elect of the House of Representatives of the Legislative Assembly of the Territory of Utah convened in the State House, pursuant to law.

The House was called to order by Mr. Robert L. Campbell, Chief Clerk of the former House, who read the following list of names of the members elect.

"SECRETARY'S OFFICE, G. S. L. City,
January 13, 1868.

I hereby certify that the following is a correct list of the members elect to the Seventeenth Annual Session of the House of Representatives, Legislative Assembly, Territory of Utah, as returned to the Secretary's Office:

Great Salt Lake County:

JOHN TAYLOR,
ENOCH REESE,
ORSON PRATT, Sen.,
ALBERT P. ROCKWOOD,
JOSEPH F. SMITH,
BRIGHAM YOUNG, Jr.

Utah County:

A. K. THURBER, WILLIAM B. PACE, DAVID EVANS.

Davis and Morgan Counties:
CHRISTOPHER LAYTON, PHILEMON C. MERRILL.
Weber County:
LORIN FARR, CHAUNCEY W. WEST.
Box Elder County:
JONATHAN C. WRIGHT.
Cache and Richland Counties:
CHARLES C. RICH, PETER MAUGHAN.
Tooele County:—JOHN ROWBERRY.
Juab County:—JONATHAN MIDGLEY.
Sanpete and Sevier Counties:
R. N. ALLRED, GEORGE TAYLOR.
Millard County:—FRANCIS M. LYMAN.
Beaver and Piute Counties:—JAMES HENRY ROLLINS.
Iron County:—SILAS S. SMITH.
Washington and Kane Counties:—JACOB GATES.
Summit and Green River Counties:—WILLIAM W. CLUFF.
Wasatch County:—THOMAS H. GILES.

AMOS REED, Secretary.

Per ELLIOT HARTWELL, Clerk."

The Chief Clerk announced a quorum present.

On motion of Mr. Rockwood, the members elect were qualified by Mr. W. W. Phelps, Notary Public.

On motion of Mr. Thurber, the Hon. John Taylor was elected Speaker, who was also qualified by Mr. W. W. Phelps.

On motion of Mr. Silas S. Smith, Robt. L. Campbell, was elected Chief Clerk.

On motion of Mr. Maughan, Joseph C. Rich was elected Assistant Clerk.

On motion of Mr. Rich, Samuel H. B. Smith was elected Sergeant-at-Arms.

On motion of Mr. Farr, Franklin S. Richards was elected Messenger.

On motion of Mr. J. F. Smith, Geo. W. Slade was elected Foreman.

On motion of Mr. Maughan, W. W. Phelps was elected Chaplain.

On motion of Mr. Maughan, the Officers elected were qualified by Mr. P. Lynch, Notary Public.

On motion of Mr. Rockwood, the Council were notified that the House was organized and ready for business.

Mr. Thurber moved that a committee be appointed from the House to wait, in conjunction with a like committee from the Council, upon His Excellency the Governor and inform him that the Legislative Assembly is organized and ready to receive any communication that he may have to make.

Seconded and carried.

Whereupon the Speaker appointed Messrs. Orson Pratt, sen., Joseph F. Smith, and Brigham Young, Jun., said committee.

The following message was received from the Council and read:

Council Chamber, Jan. 13, 1868.

Hon. Speaker of the House of Representatives:

The Council is now duly organized by electing the following officers:

GEO. A. SMITH, President;
PATRICK LYNCH, Secretary;
J. M. SIMMONS, Assistant Secretary;
J. D. T. McALLISTER, Sergeant-at-Arms;
A. R. CARRINGTON, Messenger;
JOSEPH BUSBY, Foreman;
JOSEPH YOUNG, Sen., Chaplain.

And enclosed please find (C. F. No. 1,) "An Act to provide for convening the Legislative Assembly during the remaining thirty-nine days of its Seventeenth Annual Session."

G. A. SMITH, President of the Council.

(C. F. No. 1,) "An Act to provide for convening the Legislative Assembly during the remaining thirty-nine days of its Seventeenth Annual Session, was read the first time.

Said bill was read the second time.

Said bill was read the third time by its title and so passed.

A message was received and read from the Council announcing the appointment of Councilors Smoot and Harrington a committee to act with a like committee of the House to wait upon His Excellency the Governor, and inform him of the organization of the Legislative Assembly, and its readiness to receive any communication he may have to make.

Mr. Orson Pratt, Sen., of the joint committee appointed to wait upon His Excellency the Governor, reported that the Governor would be pleased to communicate with the House on to-morrow at 2 p.m.

Minutes called for, read and accepted.

On motion of Mr. Farr, the House adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

TUESDAY, JANUARY 14, 1868.

———:o:———

COUNCIL.

Council Chamber, City Hall,
G. S. L. City, Jan. 14, 1868, 1 o'clock p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received from His Excellency the Governor and read by the Secretary of the Council.

Executive Office, Utah, Jan. 13, 1868.

The Hon. Geo. A. Smith, President of the Council;

The bill entitled "An act to provide for the convening of the Legislative Assembly during the remaining thirty-nine days of its Seventeenth Annual Session," I have this day approved, signed and deposited in the office of the Secretary.

Charles Durkee, Governor.

The requisite oath was then administered to Councilor Callister by Patrick Lynch, Clerk, United States District Court, and Secretary of the Council.

Councilor Smoot, Chairman of the Committee appointed to wait upon His Excellency the Governor, presented the following report:

Hon. Geo. A. Smith, President, and Members of the Council:

Gentlemen:—Your committee that was appointed to act with a like committee from the House to wait on the Governor, begs leave to report that they have visited His Excellency Governor Durkee, and informed him that this Legislative Assembly was now organized, and would be ready at 2 o'clock this p.m. to receive any communications from him that he might have to make, at which time he purposed to send in his Annual Message to the Legislative Assembly of the Territory of Utah.

Yours very truly,
A. O. Smoot, Chairman.

Council Chamber, G. S. L. City, Jan. 14, 1868.

Which was read, and,

On motion of Councilor Benson, was accepted and the committee discharged.

The following standing committees were appointed by the President:

STANDING COMMITTEES OF THE COUNCIL.

On Judiciary—ALBERT CARRINGTON, L. E. HARRINGTON, A. O. SMOOT.

On Claims and Appropriations—ERASTUS SNOW, W. WOODRUFF, THOMAS CALLISTER.

On Petitions and Memorials—LORENZO SNOW, E. T. BENSON, ORSON HYDE.

On Revenue—ORSON HYDE, A. O. SMOOT, JOSEPH A. YOUNG, AARON JOHNSON.

On Elections—JOSEPH A. YOUNG, A. O. SMOOT, THOS. CALLISTER.

On Counties.—E. T. BENSON, H. C, HAIGHT, ORSON HYDE.

On Roads, Bridges, Ferries and Kanyons.—LORENZO SNOW, HECTOR C. HAIGHT, JOSEPH A. YOUNG, AARON JOHNSON.

On Engrossing.—JOSEPH A. YOUNG, LORENZO SNOW, A. CARRINGTON,

On Education.—ALBERT CARRINGTON, A. O. SMOOT, O, HYDE.

On Printing.—L. E. HARRINGTON, ERASTUS SNOW.

On Library—A. O. SMOOT, THOMAS CALLISTER, EZRA T. BENSON.

On Agriculture, Trade and Manufactures.—W. WOODRUFF, ERASTUS SNOW, A. O. SMOOT.

On Militia.—AARON JOHNSON, JOS. A. YOUNG, THOS. CALLISTER, E. SNOW.

On Municipal Corporations.—A. O. SMOOT, JOS. A. YOUNG, HECTOR C. HAIGHT.

On Private Incorporations and Telegraph Companies.—JOS. A. YOUNG, E. T. BENSON, ERASTUS SNOW.

On Public Domain and School Lands.—THOS. CALLISTER, AARON JOHNSON, H. C. HAIGHT.

On Penitentiary.—HECTOR C. HAIGHT, AARON JOHNSON, A. O. SMOOT.

On Indian Affairs.—E. SNOW, THOMAS CALLISTER, A. O. SMOOT.

On Irrigation and Canals.—JOS. A. YOUNG, E. SNOW, W. WOODRUFF.

On Postal Affairs.—E. SNOW, E. T. BENSON, HECTOR C. HAIGHT.

On Revision.—L. E. HARRINGTON, HECTOR C. HAIGHT, A. O. SMOOT.

On Unfinished Business.—JOSEPH A. YOUNG, AARON JOHNSON, THOS. CALLISTER.

On Mineral Resources.—ORSON HYDE, AARON JOHNSON, ALBERT CARRINGTON.

The following message was received from the House:

Representatives' Hall, G. S. L. City,
January 14, 1868.

Hon. Geo. A. Smith, President and Members of the Council:

Gentlemen:—The House are ready to meet with the Council in Joint Session.

Very respectfully,
JOHN TAYLOR, Speaker.

(JOINT SESSION.)

REPRESENTATIVES' HALL, G. S. L. City,
January 14, 1868, 2 o'clock p.m.

According to previous agreement, the Assembly went into Joint Session.

The President of the Council presiding.

The roll of the Council was called by the Secretary of the Council.

Quorum present.

The roll of the House was called by the Chief Clerk.

Quorum present.

Prayer by the Chaplain of the Council.

His Excellency Governor Durkee, having sent in his Annual Message, with accompanying documents, they were read by the Secretary of the Council.

GOVERNOR'S MESSAGE

TO THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF UTAH.

—:o:—

EXECUTIVE OFFICE, Utah Territory,
Great Salt Lake City, Jan. 13th, 1868.

Gentlemen of the Legislative Assembly:

Before proceeding to suggest to you such measures as seem to me suitable for Legislative action, it cannot but be appropriate for me to congratulate you upon the constantly improving condition of our national affairs. Upon emerging from the terrible civil war which for years had tasked to the utmost our national energies, various new and intricate political problems suggested themselves for consideration and decision. In the new questions thus arising we were entirely without precedents for our guidance. It is not to be wondered at, therefore, that among those statesmen equally solicitous for the public weal, there should arise vital and irreconcilable differences of opinion. Such differences of opinion have doubtless, in some measure, impeded the progress of reconstruction. At the same time such delay has given opportunity for a full and candid discussion of the conflicting political theories, and the people, the tribunal of last resort, have become more fully qualified for the rendition of a final and righteous judgment.

We should be faithless and blind indeed did we believe that the BenificentFather, who has so signally manifested His protecting care over us in the years that are passed, would now withhold His all-powerful guidance; or did we doubt for an instant the thorough loyalty, intelligence and constancy of the people.

During the past year a most satisfactory reduction has been made in the volume of our national indebtedness, and our ability to speedily liquidate and cancel such indebtedness has been fully demonstrated.

Questions relating to national finances must necessarily require much attention and discussion for many years. The views of our Chief Magistrate and his Minister of Finance, advising a reduction of our redundant paper currency and an early resumption of specie pay ments, are such as must commend themselves to all disciples of sound systems of finance.

During the past year also our neighboring republic of Mexico, by the expulsion of foreign troops from her soil, has virtually put down the last armed offshoot of our own civil war. While we can not but lament the blood-thirsty outrages which followed the triumph of the national arms, yet much must be pardoned to the feelings of an excitable people goaded to frenzy by the long endured exactions and tyrannies of a foreign and detested power.

TERRITORIAL FINANCES.

I transmit herewith for your consideration the Annual Reports of the Territorial Auditor and Treasurer. Also the Adjutant General's Report in relation to the extent and condition of the Militia of this Territory. Utah is, I believe, of all the States and Territories of our Union, alone, in being entirely free from indebtedness. In this respect our condition is a subject of congratulation. The policy of never living beyond one's means is as admirable in Territorial as in individual affairs, and the wisdom of your predecessors in this regard, can not be too highly commended.

PENITENTIARY.

I have several times observed the prisoners sentenced to our Penitentiary engaged in laboring upon the highways, and wearing a ball and chain as a safeguard against attempts at escape or rescue. While the policy of compelling all prisoners to labor with diligence is one which meets my cordial approval, I question whether thus exposing them to public gaze and frequent execration, bearing upon them the symbols of their disgrace, is not calculated to render the prisoners hardened in morals and insensible to public opinion. The true end of all punishment—the reform of the prisoner himself, thus fails of accomplishment. In my opinion some system should at once be devised and adopted whereby prisoners should be kept at labor within the walls of the place of their confinement.

COMMISSIONERS OF DEEDS.

No statute seems to have been passed relative to the appointment of Commissioners of Deeds, to reside in other States and Territories. The services of such officers are often almost indispensable in commercial, legal and real estate transactions, and legislation should be had relative to their appointment during your present session.

TOWN SITES.

You have already twice petitioned Congress to donate the proceeds of Town Sites within the Territory to the fund for the support of common schools. At its last session a law was passed by Congress virtually granting the prayer of your petition. By this law the town authorities may enter the land at the price of $1.25 per acre in trust for the occupants of the same, but may fix the price at which the lots shall then be conveyed to the real owners. The difference between the two prices may thus form a school fund of considerable magnitude. Steps have already been taken to perfect the title to the site of Great Salt Lake City, and the land will undoubtedly be conveyed to the Corporation during the present season. In view of this fact it will become your duty during your present session to enact such laws as are necessary to render operative and effectual the law of Congress.

Provision should be made for the adjustment of conflicting claims to the same property; also where persons having interest in property by way of lease, mortgage or otherwise, for fully protecting such interests.

There having been heretofore no legal titles to lands within the Territory, no legislation relative to real estate has been deemed necessary, but at the present session full provision should be made for the conveying or encumbering of real estate or any interest therein, for dower rights therein if it were deemed best to grant such rights for the taxation of real estate, etc.

STATUTE OF LIMITATION.

No law limiting the time within which civil actions may be brought have been, as yet, enacted. Such statutes operate most advantageously in the prevention of litigation after a reasonable time has been allowed a party to assert his rights, and also render litigation much less vexatious, dilatory and expensive, by requiring actions to be brought within a period, where, in most instances, the evidence would be comparatively fresh in the memories of the witnesses. I trust that this matter may receive attention during the present session of your body.

RATES OF INTEREST.

Experience has demonstrated that all laws whereby rates of interest for the loan of moneys are sought to be fixed, are worse than useless; that the price of money, as of any other commodity, is best left to be governed by the universal law of supply and demand.—At the same time it is desirable that where no specific agreement be made between the parties, the rate should be fixed by law.—Much controversy and litigation would thus be avoided, while the just rights of no persons would be affected thereby.

CORPORATIONS.

No law at present exists relative to the formation of Corporations or Joint Stock Companies. A special act of the Legislature is necessary for the organization of such companies. Much trouble to yourselves would be avoided and greater simplicity and uniformity secured by the enactment of a general law under which Corporations and Joint Stock Companies might be formed, and by which the rights, powers and liabilities of the stockholders should be precisely defined and guarded.

LIMITED PARTNERSHIPS.

By the common law of Partnerships the entire separate property of each partner is liable to be taken in payment of the partnership liabilities. This rule has a tendency to prevent men of means from engaging in many meritorious enterprizes, the management of which must be entrusted to less experienced and responsible hands. To obviate this difficulty laws have been enacted in many States whereby the liability of a partner is limited to a certain fixed sum, due notice of the limited character of his liability being given in a manner fixed by the Statute. I would respectfully suggest the passage of such a law by the present Legislature of the Territory.

LIEN OF MECHANICS AND OTHERS.

In many of the States laws exist giving to mechanics who perform labor in the erection of buildings, or to merchants and others who furnish materials for such buildings, a lien upon the building and land upon which it stands for the labor so performed or materials so furnished. Such laws are found to operate most advantageously to all parties, and I would suggest that a similar statute be enacted by you at the present session.

CATTLE DRIVES.

It is the usage at present for all cattle running at large to be annually collected at some point in each county for identification.—Much complaint is made by persons having small droves of cattle which they themselves watch or have herded, at being obliged to drive their cattle to the general rendezvous and bear a proportion of the expenses of such collection. I am not sufficiently familiar with this subject to suggest for your consideration any specific relief, but call your attention to the matter in the hope that you may be able to devise some method of remedying the evil complained of, without impairing the efficiency of the present system. In any event it would be advisable to have the cattle drives regulated by some statutory enactment, rather than by custom, which may be capable of as many interpretations as there are interested parties.

CODE OF PROCEDURE IN CIVIL ACTIONS.

Heretofore the people of this Territory have been almost isolated from the world. Their commercial transactions have been comparatively limited, and from their imperfect titles to real estate, transactions therein have been few and simple. You are now, however, about to experience a great transition. The rapid approach of that marvel of our day, the Pacific Rail Road, will virtually transfer you from the outskirts to the centre of our continental civilization.

Commercial, agricultural and mining enterprizes will be prodigiously stimulated and enlarged. Transactions in real estate will become more numerous, intricate and imperfect.

Heretofore litigation has been unfrequent, and the few legislative enactments relative to civil actions have perhaps sufficed for the requirements of the people. This condition of affairs is, however, now nearly at an end. With the rapid increase and development of business, numerous controversies must arise requiring the intervention of the courts, demanding more ample and explicit enactments for the speedy rendition of justice.

I would respectfully urge upon you the great importance of the adoption of a full code of laws, defining the forms and regulating the methods of procedure in civil actions.

The statutes now in force relative to such actions are not sufficiently full, and are also in some particulars open to grave objections. As an instance of the latter class I might refer to the law on the subject of divorce. By the present statute, a divorce may be obtained and one of the most vital relations of life terminated by a proceeding purely *ex parte;* no notice whatever being given to the defendant.

MEMORIALS TO CONGRESS.

I would suggest that Congress be again memorialized for the establishment of a Land Office in this Territory, that settlers may speedily secure valid titles to their property and avail themselves of the benificent provisions of the Homestead Law. This act of simple justice to the hardy pioneers, who by their development of the resources of this mountain region, have added so greatly to the wealth of the nation, should not longer be delayed. Congress should also be again memorialized for the repeal of that most oppressive law compelling the people of this and adjoining Territories to pay letter postage upon all books and transient newspapers forwarded by mail.

The near approach of the Pacific Railroad would seem to have already removed all apparent reasons which ever existed for this discrimination against settlers upon the frontier. It would surely seem that Congress, instead of restricting the privileges of these settlers upon the Pacific Slope, who by their toils and sacrifices have founded a magnificent empire, should make them even greater than those enjoyed by citizens of the Eastern States, as a partial recompense for their life-long battles with the regions to some extent, of an inhospitable climate and desert soil.

CHARLES DURKEE.

—:o:—

AUDITOR'S REPORT.

To His Excellency, Charles Durkee, Governor of Utah:

Dear Sir:—I beg leave to present you the Auditor's Annual Report of assessments of property, disbursements, and other matters connected with the financial operations of the Territory of Utah for the year 1867. Feeling anxious to reduce the county delinquencies as much as possible, I have delayed this Report. By so doing the accounts with the several counties are brought into a much more satisfactory condition than heretofore.

The general assessment for the year 1867, as reported by the County Clerks, is as follows:

COUNTY.	Value of Property. Dolls.	Cts.	Am't of Tax. Dolls.	Cts.
Great Salt Lake,	$4,468,610	00	$23,243	05
Utah,	1,077,490,	00	5,387	45
Cache,	857,050	00	4,258	25
Weber,	531,378	00	2,656	89
Davis,	471,454	00	2,357	27
Washington,	463,292	00	2,316	46
Tooele,	376,162	00	1,880	81
Sanpete,	351,362	00	1,756	81
Box Elder,	333,126	00	1,665	63
Juab,	282,248	00	1,411	24
Summit,	258,334	00	1,291	67
Millard,	195,258	00	976	29
Morgan,	188,434	00	942	17
Iron,	174,436	00	872	18
Wasatch,	137,854	00	689	27
Beaver,	137,094	00	685	47
Richland,	102,900	00	514	50
Kane,	61,344	00	306	72
Sevier, (no sssessment owing to Indian depredations.)				
Pinte, (no assessment owing to Indian depredations.)				
Total,	$10,647,826	00	$53,239	13

The total value of Auditor's Warrants drawn on the Territorial Treasury during the year ending December 12th, 1867, is sixty-four thousand nine hundred and thirty-five dollars and forty-two cents, which sum has been expended in payment of appropriations and accounts named in the following statement, to say:

Roads and Bridges:

Contingent fund expended by Road Commissioner, appropriation Jan. 19 1866,	$ 1,200 00
Expended on State roads in 1866, in excess of appropriation Jan. 18, 1867,	2,569 94
Paid E. Hunter and others, for labor on State road ditch, January 18, 1867,	500 00
Paid for convict labor on public highways, Jan. 18, 1867,	649 00
Balance due on G. S. L. City and Wanship road, Jan. 18, 1867,	13,199 48
Expended on State road south of G. S. L. City, Jan. 18, 1867,	2,103 00
Paid on improving State road west of G. S. City, Jan. 18, 1867,	2,000 00
Paid A. Gardner on account of upper Jordan bridge, Jan. 18, 1867,	1,500 00
On point of Mountain, south end G. S. L. County, Jan. 19, 1866,	800 00
Paid on bridge across Weber river, Jan. 18, 1867,	5,000 00
On account of Ogden river bridge, Jan. 19, 1866	3,000 00
On account of road in Lower Weber Kanyon, Jan. 22, 1864,	1,500 00
On Ogden Valley and Paradise road, Jan. 19, 1866,	120 00
On account of road through Logan-bottoms, Jan. 19,1866,	379 00
Paid balance due on account Provo bridge, Jan. 14, 1864,	195 50
On account of bridge on west branch Provo river, Jan. 19, 1866,	800 00
On account of Spanish Fork bridge, Jan. 19, 1866,	1,500 00
On account of Salt Creek Kanyon road, Jan. 19, 1866,	140 00

On account of Salt Creek and Gunnison road, Jan. 18, 1867, - - -	103 61	
On account of Gunnison and Manti road, Jan. 19, 1866, - -	400 00	
On account of bridge across Sanpitch river, Jan. 22, 1864, - - - - - -	500 00	
On account of Sevier bridge, no appropriation, - - - -	228 00	
On account of Glenwood and Selina dugway, Jan. 19, 1866, - -	800 00	
On account of Sevier and Piute road, Jan. 19, 1866, - - - -	550 00	
On road from Sevier bridge to Cedar Springs, Jan. 19, 1866, - -	160 00	
On road over Mud Lake, Millard County, Jan. 20 1865, - - -	500 00	
On Balance due on Wild Cat Kanyon road, Jan. 20, 1865, - - - - -	200 00	
On account of Washington and Piute county roads, Jan. 20, 1865. - - -	247 15	
On account of roads in Kane county, Jan. 19, 1866, - - - - -	18 00	
On account of St. George and Fort Harmony road, Jan. 19, 1866, - -	203 08	
On account of St. George and Panacca roads, Jan. 19, 1866, - -	543 37	$41,519 13
Penitentiary:		
Paid A. P. Rockwood, Warden, for services for 1866, appropriation Jan. 18, 1867, -	1,200,00	
Paid deficiency for Penitentiary purposes, for 1866, appropriation Jan. 18, 1867, -	827 82	
On account of current expenses for 1867, appropriation Jan. 18, 1867 - -	2,000 00	
On Penitenitary expenses in excess of appropriation, no appropriation, - -	1,800 00	5,827 82
D. A. & M. Society:		
On account of Agricultural Fund, Jan. 20, 1865, - - - - - -	150 00	
On account of irrigation statistic Jan. 20, 1865, - - - - -	435 35	585 35

Treasurer's Office:		
Paid on account of Treasurer's salary for the year 1867, - - - - - - - -		400 00
Auditor's Office:		
On account of salary for the year 1866, Jan. 18, 1867, - - - - - - - -	100 00	
On account of postage, printing, etc., for 1866, Jan. 18, 1867, - - - -	48 45	
On account of services for the year 1867,	475 25	
On account of stationery for the year 1867, Jan. 18, 1867, - - - - - -	74 25	
For stationery extra purchased during the year 1867, no appropriation - - -	26 59	
For printing and binding official receipt book, no appropriation, - - -	15 00	
On account of printing marks and brands, Jan. 19, 1866, - - - - - -	23 00	
On account of printing marks and brands, Jan. 18, 1867, - - - - - -	338 83	1,101 37
Marshal's Office:		
On account of services for the year 1866, Jan. 18, 1867, - - - - - - -	665 90	
For relief of Great Salt Lake County, Jan. 18, 1867, - - - - - -	500 00	
For board of prisoners before U. S. 3d District Court, no appropriation, - - -	63 00	1,228 90
Surveyor General's Office:		
On account of services for the year 1866, Jan. 18, 1867, - - - - - -	500 00	
For services rendered Road Commissioner, Jan. 19, 1866, - - - - -	10 00	
For drawing maps, plats, etc., in part, Jan. 19, 1866, - - - - - - -	77 00	587 00
Road Commissioner's Office:		
For printing and for services rendered in 1866, Jan. 18, 1867, - - - - -	540 00	
To purchase a pile driver for the Territory, Jan. 18, 1867, - - - - -	1,908 38	2448 38

Adjutant General's Office:		
For purchase of blank books, stationery, furniture etc., Jan. 18, 1867, - - - - - - -		1,482 67
Attorney General's Office:		
To Z. Snow, deputy, for services in 1866, Jan. 18, 1867, - - - - - - - -		400 00
Superintendent of Common Schools:		
To Superintendent for services for the year 1866, Jan. 18, 1867, - - -	350 00	
For printing and traveling expenses, Jan. 18, 1867 - - - - - - -	250 00	600 00
Public Printing:		
On account of printing and binding Laws of Utah, Jan. 18, 1867, -- -- -- -		5,826 00
Superintendent of Meteorological Observations:		
For balance due on services for year 1866,	27 00	
On account of services for the year 1867,	154 35	181 35
Weights and Measures:		
Paid on account of freight of standard weights, etc., Jan. 18, 1867, - -		478 00
Patrick Lynch:		
For services rendered in compilation of laws, Jan. 18, 1867, - -	300 00	
For services as clerk of U. S. 3d District Court, Jan. 18, 1867, - - - - -	255 00	555 00
Warren S. Snow:		
For his relief in part, Jan. 18, 1867, -		300 00
Ransoheff & Co.:		
For bill of merchandise furnished Sanpete Military Expedition, Jan. 18, 1867,		94 50
Paris Exposition:		
To pay expenses of forwarding specimens to Paris etc., Jan. 18, 1867, - - -		1,000 00
Joseph C. Rich:		
For services as clerk to Legislature session 1866-7, Jan. 18, 1867, - -- -- - -		120 00

George W. Platt:		
For services as clerk to Legislature session 1866-7, Jan. 18, 1867,		120 00
F. S. Richards:		
For services as clerk to Legislature session 1866 7, Jan. 18, 1867,		60 00
Joseph F. Smith:		
For services as clerk to Legislature session 1866-7, Jan. 18, 1867,		20 00
Total Auditor's Warrants issued during the year,		64,935 42
Additional Auditor's Warrants in circulation per former report,		4,623 97
Total warrants in circulation during '67,		69,559 39
Of which there has been redeemed by the Treasurer per his report,		68,434 24
Leaves warrants unredeemed and in circulation at this date,		1,125 15

The following unexpended appropriations remain to the credit of the respective accounts on the Auditor's books, viz.:

Roads and Bridges:		
To improve State road south from Salt Lake City, Jan. 18, 1867,	7,987 00	
To improve Chalk Creek Kanyon road, Jan. 19, 1865,	800 00	
To improve Spanish Fork and Thistle Creek Kanyon road, Jan. 20, 1865,	450 50	
On account of Sevier and Piute roads, Jan. 19, 1866,	450 00	
On account of roads in Kane county, Jan. 19, 1866,	1,182 00	
On account of St. George and Panacca roads, Jan. 19, 1866,	256 63	
On account of St. George and Lower Muddy roads, Jan. 19, 1866,	800 00	11,926 13
Public Printing:		
Balance due on printing and binding Laws of Utah, Jan. 18, 1867,		3,446 00

Adjutant General's Office:		
Balance due on account of furniture, books, stationery, etc., Jan. 18, 1867, - -		517 33
Attorney General's Office:		
For rent of office for the year 1865, Jan. 19, 1866, - - - - - - -		100 00
Surveyor General:		
Balance unpaid on account of maps, plats, etc., Jan. 19, 1866, - - - - -		300 00
Thomas Bullock:		
Amount due him for making postal map, Jan. 19, 1866, - - - - - - -		50 00
D. A. & M. Society:		
Balance unpaid on account of agricultural fund, Jan. 20, 1865, - - -	137 00	
Balance unpaid on account of irrigation statistics, Jan. 20, 1865, - - -	239 65	376 65
Printing Brands: - - - - -		
Balance unexpended on printing, - - -		11 17
Total unpaid - - - - -		$16,727 98

The delinquent taxes authorized to be expended on public highways in Richland, Washington and Kane counties are not included in this report, as no report of labor performed has yet been received at this office. - - - - - -

Very respectfully,
Wm. Clayton,
Auditor of Public Accounts.

G. S. L. City, Dec. 17, 1867. - - - -

TREASURER'S REPORT.

Territorial Treasurer's Office,
Great Salt Lake City, Dec. 14th, 1867.

To His Excellency, Charles Durkee,
Governor of Utah Territory:

Dear Sir:—I respectfully submit herewith my annual report of the Receipts and Disbursements of this Office, for the fiscal year ending December 12th, 1867.

RECEIPTS:

Amount from the Assessor and Collector of

" " "	Box Elder county,	2,400 00
" " "	Beaver county,	672 50
" " "	Cache county,	1,534 00
" " "	Davis county,	2,994 15
" " "	G. S. Lake county,	30,980 92
" " "	Iron county,	384 00
" " "	Juab county,	1,336 61
" " "	Millard county,	1,080 24
" " "	Morgan county,	438 30
" " "	Sanpete county,	2,643 78
" " "	Summit county,	275 00
" " "	Sevier county,	251 67
" " "	Tooele county,	1,727 88
" " "	Utah county,	6,418 34
" " "	Washington county,	734 72
" " "	Weber county,	2,094 40
" " "	Wasatch county,	960 00
Amount from Nichols and Godbe being 5 per cent. on revenue of Bear River Bridge		274 00
Total receipts		$59,144 65
Add balance in the Treasury, November 1st, 1866		35,431 56
Grand total		$94,576 21

DISBURSEMENTS:

Auditors warrants redeemed at the Treasury	68,434 24
Amounts placed to the credit of Penitentiary account, common schools, etc.	$26,141 97

Very respectfully, your obedient servant,

DAVID O. CALDER,
Territorial Treasurer.

REPORT
OF THE
ADJUTANT GENERAL.

ADJUTANT GENERAL'S OFFICE, U. T.,
Great Salt Lake City, Dec. 31, 1867.

To His Excellency Charles Durkee,
Governor of Utah Territory:

Dear Sir:—I take pleasure in forwarding to your Excellency the accompanying Abstract Return of the Nauvoo Legion, the militia of our Territory, made out from the latest reports that have been received from each district, and showing the aggregate number of the militia so far as enrolled, with their individual arms, ammunition and equipments. The number, twelve thousand and twenty-four, (12024). including cavalry, artillery and infantry, would doubtless be largely increased by a full enrollment of all persons liable to military duty, as required by law, as may be observed by the large numbers of spectators, of the class liable to military duty, usually seen in attendance at our general musters. The apparent deficiency of fire-arms among the infantry arises chiefly from the annual immigration of many poor persons, who are destitute of weapons on their arrival.

As your Excellency is aware, our settlers have now had a three years' war with the Utah Indians, during which a very large amount of stock has been driven off from our settlements, and seventy of our citizens killed and wounded by them. It has also involved a great loss of other property, in breaking up the settlements throughout Sevier, Piute, Kane, and parts of Sanpete and other counties. During this time various detachments of troops have been sent from the more densely settled districts, to the settlements more immediately in the scene of actual Indian hostilities, to assist in repressing the Indians, defending the settlers, and guarding against their sudden attacks. A small portion of the outlay for these expeditions has been paid out of Territorial funds, but it is believed that an appropriation should be made by the General Government, to reimburse the Territory, and defray all the expenses, accounts of which are in preparation accordingly against the General Government.

Without reliable information of their intentions, it is hoped and believed that the Indians are now more peacefully inclined, and trust that the ensuing spring and summer may not open up, as they have the last three years, with an Indian war upon our hands.

With much respect.

H. B. CLAWSON, Adjutant General N. L.
Militia of Utah Territory.

ABSTRACT RETURN OF THE NAUVOO LEGION, THE MILITIA OF UTAH TERRITORY,

DECEMBER 31 1868.

	Lieut. General	Lieut. General's Staff	Topographical Engineers	Officers of Ordnance Department	Major Generals	Major General's Staff	Brigadier Generals	Brigadier General's Staff	Colonels	Lieutenant Colonels	Regimental Staff	Majors	Battalion Staff	Captains	1st Lieutenants	2nd Lieutants	Sergeants	Musicians	Teamsters	Privates	Total	Pieces of Artillery	Horses	Saddles	Revolvers	Swords	Rifles	Muskets or Shot Guns	Bayonets	Rounds of Ammunition	Trumpets	Fifes	Drums
General Officers and Staff	1	18			2	14	9	50													94		94	94	94	94	94			9400			
Topographical Engineers			13																		13				13	13	13			700			
Ordnance Department				6																	6				6	6	6			300			
Total Cavalry									2	2	6	17	17	46	43	204	198	37	33	1920	2525		2353	2163	2147	979	1934	57		122047	37		
" Artillery												1	1	3	3	12	12	4	2	141	179	7	4	2	97	28	119	1		10330	2		
" Infantry									23	23	79	94	95	187	182	690	686	281	47	6820	9207		387	217	2569	932	4794	1661	25	288598	38	96	107
Aggregate	1	18	13	6	2	14	9	50	25	25	85	112	113	236	228	906	896	322	82	8881	12024	7	2838	2476	4926	2052	6960	1719	25	431375	77	96	107

Adjutant General's Office, U. T.,
Great Salt Lake City, Dec. 31, 1867.

H. B. CLAWSON,
Adjutant General N. L., Militia of U. T.

On motion of Mr. Rowberry, one thousand copies of the Governor's Message, and one hundred copies each of the accompanyin documents, were ordered to be printed for the use of both Houses.

On motion of Councilor Carrington, Geo. Q. Cannon was electe Public Printer.

On motion of Mr. Rockwood, one hundred copies of the name and residences of members and officers of both Houses, with th standing committees, in pamphlet form, also one hundred copies o the daily minutes were ordered to be printed for the use of both Houses.

Minutes were read and accepted.

On motion of Mr. Farr, the Joint Session dissolved.

Benediction by the Chaplain of the House.

On dissolution of the Joint Session, the Council resumed its session.

Moved by Councilor Young, that the Secretary of the Territory be requested to furnish each member and officer of the Council with the Daily, Semi-weekly and Weekly *Deseret News*, and Daily and Semi-weekly *Telegraph*.

Councilor Harrington presented petition from Thos. McCulloch and sixty-one others, praying for the extension of the corporate limits of Alpine City, which was read, and,

On motion of Councilor Young. was referred to the committee on municipal corporations.

Minutes read and accepted.

On motion of Councilor Benson, the Council adjourned till tomorrow at 1 o'clock p.m.

Prayer by the Chaplain.

——o——

HOUSE.

———

HOUSE OF REPRESENTATIVES, City Hall,
G. S. L. City, Tuesday, Jan, 14, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Mr. Rockwood, Mr. Rowberry was duly qualified.

A message was received from the Council and read, announcing that the Council would be pleased to meet with the members of the House, in the Representatives Hall at their earliest convenience, to receive the Governor's Message, which had been forwarded by His Excellency.

The House went into Joint Session.

(See Joint Session minutes.)

Upon dissolution of the Joint Session, the House resumed its sitting.

The Speaker announced the following list of Standing Committees:

STANDING COMMITTEES OF THE HOUSE.

On Judiciary—LORIN FARR, JONATHAN C. WRIGHT, C. W. WEST, A. K. THURBER, S. S. SMITH.

On Claims and Appropriations—C. C. RICH, LORIN FARR, A. P. ROCKWOOD, C. LAYTON.

On Petitions and Memorials.—JONATHAN C. WRIGHT, T. H. GILES, ORSON PRATT, Sen., J. F. SMITH.

On Revenue.—A. K. THURBER, P. MAUGHAN, J. MIDGLEY, C. LAYTON.

On Elections—PETER MAUGHAN, P. C. MERRILL, J. H. ROLLINS, C. LAYTON.

On Counties—W. B. PACE, BRIGHAM YOUNG, Jun., THOS. H. GILES.

On Roads, Bridges, Ferries and Kanyons—R. N. ALLRED, A. A. P. ROCKWOOD, D. EVANS, J. ROWBERRY.

On Engrossing— JOSEPH F. SMITH, WILLIAM W. CLUFF, J. GATES.

On Education—ORSON PRATT, Sen., JOSEPH F. SMITH, WILLIAM W. CLUFF, LORIN FARR.

On Printing—SILAS S. SMITH, BRIGHAM YOUNG, Jun., J. MIDGLEY, J. H. ROLLINS.

On Library—W. B. PACE, F. M. LYMAN, W. W. CLUFF.

On Agriculture, Trades and Manufactures—ENOCH REESE, R. N. ALLRED, ALBERT P. ROCKWOOD, JACOB GATES, C. C. RICH.

On Militia—BRIGHAM YOUNG, Jun., CHAUNCEY W. WEST, A. K. THURBER, GEORGE TAYLOR, WILLIAM B. PACE.

On Municipal Corporations — ALBERT P. ROCKWOOD, L. FARR, J. F. SMITH, ENOCH REESE,

On Private Incorporations and Telegraph Companies—JONATHAN C. WRIGHT, DAVID EVANS, J. H. ROLLINS.

On Public Domain and School Lands—JOHN ROWBERRY CHARLES C. RICH, DAVID EVANS, J. H. ROLLINS.

On Penitentiary—ENOCH REESE, O. PRATT, Sen., GEO. TAYLOR, W. B. PACE,

On Indian Affairs—JACOB GATES, CHARLES C. RICH, R. N. ALLRED, J. MIDGLEY.

On Irrigation and Canals—CHAUNCEY W. WEST, F. M. LYMAN, DAVID EVANS, T. H. GILES.

On Postal Affairs—W. W. CLUFF, JOSEPH F. SMITH. JACOB GATES, P. C. MERRILL.

On Revision—LORIN FARR, P. C. MERRILL, C. W. WEST, R. N. ALLRED.

On Unfinished Business—SILAS S. SMITH, A. P. ROCKWOOD, GEO. TAYLOR, F. M. LYMAN.

On Mineral Resources—PETER MAUGHAN, J. ROWBERRY, W. W. CLUFF, F. M. LYMAN.

Mr. Farr moved that the Secretary of the Territory be requested to furnish each member and officer of the House, during its session, with a copy of the Weekly, Semi-weekly and Daily *Deseret News*, and a copy of the Daily and Semi-weekly *Telegraph*.

Seconded and carried.

Mr. Farr moved that the Secretary of the Territory be requested to furnish each member of the House with the Laws of Utah, and a copy of the Journals of last Session.

Seconded and carried.

Minutes called for, read and accepted.

On motion of Mr. Farr, the House adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

———:o:———

WEDNESDAY, JANUARY 15, 1868.

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COUNCIL.

COUNCIL CHAMBER, City Hall,
G. S. L. City, Jan. 15th, 1868, 1 o'clock p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The requisite oath was administered to Councilor Johnson by Patrick Lynch, clerk United States District Court and Secretary of the Council.

Councilor Young moved that the freedom of the Council Chamber be tendered to Presidents Brigham Young, H. C. Kimball and Daniel H. Wells, Bishop Edward Hunter, Hon. J. M. Bernhisel, His Excellency Governor Durkee, Hon. Secretary Higgins, Acting Secretary Hartwell, F. H. Head, Esq., Superintendent of Indian Affairs, General A. L. Chetlain, Assessor Internal Revenue, Gen. R. T. Burton, Collector Internal Revenue, Hon. Elias Smith, Probate Judge of Great Salt Lake County, Jesse W. Fox, Esq., Surveyor-General, the ex-members of the Legislative Assembly, and the members of the City Council of Great Salt Lake City.

Minutes called for, read and accepted.

On motion of Councilor Young, Council adjourned till to-morrow at 1 p.m.

Benediction by the Chaplain.

:o:

HOUSE.

Representatives' Hall, City Hall,
G. S. L. City, U. T., Wednesday, Jan. 15th, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Mr. West, the freedom of the House was extended to the following gentlemen, viz.: Presidents Brigham Young, Heber C. Kimball and Daniel H. Wells, His Excellency Governor Durkee, His Honor Edward Higgins, Secretary of the Territory, F. H. Head, Esq., Superintendent of Indian Affairs, His Honor Judge Titus, Gen. Chetlain, Assessor Internal Revenue, Josiah Hosmer, United States Marshal, Hon. Elias Smith, Probate Judge of Salt Lake County, Gen. R. T. Burton, Collectar Internal Revenue, Edward Hunter, Esq., Jesse W. Fox, Surveyor-General, Utah Territory, the ex-members of the Legislative Assembly, the City Council of Great Salt Lake City, and Hosea Stout, Esq., City Attorney.

Mr. Rockwood presented the report of the Directors of the Penitentiary, which was read, and

On motion of Mr. Pratt, was referred to the committee on Penitentiary.

On motion of Mr. Rowberry, 75 copies of the directors' report with accompanying documents were ordered printed in pamphlet form, for the use of the Assembly.

REPORT

OF THE

DIRECTORS OF THE PENITENTIARY.

Director's Office, G. S. L. City,
Utah Territory, Dec. 8th, 1867.

To the Hon. Speaker and Members of
the House of Representatives:

Gentlemen:—In compliance with an act of the Legislative Assembly of the Territory of Utah, Jan. 28th, 1862, we hereby transmit our report of the finances of the Utah Penitentiary, also a report of the Warden to us Directors, which sets forth a financial exhibit and other items required by law.

The appropriations of $,2000, at your last session for the expenses of the Penitentiary, having been found insufficient to meet the expenses, we have drawn on the Auditor of Public Accounts for $1,800 additional, which has been expended under the supervision of the Warden, as per his report. We would therefore recommend a special appropriation of $1,800, to cover said amount, also an appropriation of $1,126 74, to cancel the charge for labor of convicts on public highways, as per Warden's report, and $5,000 00 to defray the expenses of the ensuing year.

Respectfully your obedient servant,

Frederick Kesler, Chairman
Reuben Miller.

Warden's Office, Utah Penitentiary,
December 8th, 1867.

To Messrs. Kesler and Miller,
Directors of the Utah Penitentiary:

Gentlemen, Sirs:—I herewith submit a report of the expenditures and receipts of the institution, from the 30th day of Nov., 1866, to the 1st day of Dec., 1867, inclusive, and a general statement of facts, which you may need to aid you in making out your report to the Legislative Assembly, as contemplated by law.

Total outlay of the institution from Nov. 30th, 1866, to Dec. 1st, 1867, has been.......................		$5,157 30
Income of convict labor......................................	$2,367 00	
Which amount deducted from the expenses, shows the net expenses of the institution for the		

year ending Nov. 30th, 1867	2,790 30	
Receipts		5,157 30
Amount of drafts received from your Honors on the Auditor of Public Accounts for the amount appropriated by the Legislative Assembly	2,000 00	
Amount received in like drafts in excess of the apprrproiations	1,800 00	
Amount collected on bills reported receivable in last year's annual report	1,300 95	
Amount received for convict labor	416 48	
Amount received on an appropriation of the Legislative Assembly to pay an outstanding debt to A. P. Rockwood, for supplies furnished in 1866	827 80	
Total Outlay		6,145 25
Amount paid to A. P. Rockwood, as referred to above	827 80	
Amount paid to Peter Peterson for services, in 1866	9 37	
Amount paid for the expenses of the institution as above referred to	5,157 30	
Now in the hands of the financial officer	150 78	
Balanced		6,145 25

Only a small fraction over eight per cent. of the drafts on the Treasury have been paid to me in lawful money, consequently I have been under the necessity of trading said drafts in the most available way. In most places they were not equivalent to money.

From the 1st of March to the 1st of November I purchased my meat at the City Market, where I could pay in drafts on the Treasury. I was charged from 10 to 15 cents per lb., whereas, if I had been in possession of the ready money, I could have purchased on the hoof for about one half that figure.

At one time I could have laid in flour at $3 50 per sack; not having the ready money, I had to pay $6 00 per sack in drafts—other supplies and guard service were procured under similar disadvantages. Had the Treasurer been able to pay the money on presentation of the drafts, I believe that the institution could have been kept up at 20 per cent. less, which would amount to about $1,000. By the foregoing facts you can perceive that the institution suffered a material loss, besides much inconvenience to the financial officers.

Since the 1st of Nov., warrants have been in good demand, and I have laid in a reasonable amount of supplies at cash prices. Several of the convicts have been cripples and invalids, consequently very little available labor from them. With this exception, the general health of the convicts has been very good, and will favorably compare with any other class of citizens for health. Most of them have been quiet and peaceable, and diligent and faithful to the duties and labors assigned them, also watchful for an opportunity to better their situations.

The convicts have performed labor on the public highways to the amount of $1,126 75, which has not been paid by other parties. Please examine the work, and recommend an appropriation, as you in your wisdom may think proper.

Mr. Steward, one of the convicts, has performed forty days hard labor in correspondence and mapping for the special historical committee, appointed by the House of Representatives at the last session, for which no charge has been made.

In the month of November a petition was presented to me by the prisoners, praying the privilege of a common school, to be taught by one of their number. A subscription was taken up by them, to purchase books. On examining their petition, I concluded to answer their prayer, by getting what was required to establish a school. But finding that their means was inadequate to purchase all that was required, I supplied the deficiency from the funds of the institution, and now the school is in successful operation: Hours of attendance, from 6 o'clock p.m., till 8 p.m. All the different branches taught are: Reading, spelling, writing, geography, arithmetic, elocution and composition. In consequence of this, the guard is required to be up two hours longer than usual each day, for which they charge nothing.

The following list sets forth the names of the convicts in custody during the year ending Nov. 30th, 1867; also crime, term of sentence and commitment:

Names of Convicts	When Committed	Term of Sentence	Crime
George B. C. Gilvie	March 16, 1866	10 years	Murd'r 2d deg.
Frank Matthews	Sept. 14, 1866	1 "	Larceny
And. J. Stewart	Oct. 25, 1866	1 "	Manslaughter
Lewis White	Dec. 25, 1866	1 "	Larceny
Jackson Miskunens	Dec. 30, 1866	6 months	"
Henry Sampire	Jan. 12, 1867	8 years	"
John Stanton	Jan. 12. "	3 "	"
Elemer Hukson	March 30, 1867	2 "	"
Charles Sanders	May 11, 1867	2 "	"
Joseph Roocker	" " "	2 "	"
John Town	" " "	2 "	"
William Butler	" 30, "	1 "	"
Samuel Wallace	" " "	1 "	"
Wm. G. Sturret	June 18, "	10 "	Rape
Michael Kelly	" 28, "	2 "	Larceny
Henry McCoy	" " "	1 "	"
John Smith	July " "	1 "	"
John Spencer	" " "	1 "	"
Wm. Gibson	Aug. 13, "	6 months	"
Frederick Smith	" " "	6 "	"
Thomas Jocse	Sept. 17, "	10 years	Murder
John Hudson	" 14, "	5 "	Manslaughter
Wm. Smith	" 16, "	10 "	Intent to kill
Charles D. Nash	Oct. 27, "	1 "	Larceny
Henry Wirth	" " "	6 "	"
Orville Hardic	" " "	4 "	"
John Smith	Aug. 15, "	6 months	"
John Spencer	" " "	4 "	"

Total number in custody during the year,		28
The number discharged by due course of law,	15	
Escaped,	6	
Now on hand,	7	
	28	

No United States convicts have been in custody during the year.

Owing to the dilapidated condition of the prison, and the lack of a night guard, several have escaped, and speedily made their way out of the Territory. Two of them have been unofficially reported as having died suddenly while in exile.

Sometime in September, the Territorial Marshal tendered me ten persons, charged with the crime of murder, accompanied with an order from the U. S. District Judge of the Third Judicial District, requiring me to receive and safely keep them until called for, by proper authority; but I refused to receive them, for the following reasons:

First.—I had no secure place to keep them, as contemplated in the order.

Second.—The money appropriated by the Governor and Legislative Assembly for penitentiary purposes, was exhausted.

Third.—They were not convicts, therefore I had no authority to put them to work at hard labor, that they might earn their living.

Fourth.—If I had money belonging to the institution, I know of no law authorizing or requiring me to expend it on this class of prisoners.

By the foregoing, it is reasonable to infer that there is a difference of opinions between the U. S. District Judge of the Third Judicial District, and the ministerial officer of the penitentiary. Therefore I respectfully suggest that you recommend that the Legislative Assembly appoint an appropriate committee to examine the statutes on this subject, and if they are not sufficiently explicit for the common understanding, that they be made so; and if they are found sufficient, that they bring in a bill making it a penal offense for a judge of a court to impose on a ministerial officer in like manner.

Gentlemen, if any further information or explanation is necessary to give a more perfect understanding, the books, papers and services of your servant are at your command.

A. P. Rockwood,
Warden of the Utah Penitentiary.

Mr. Rockwood presented petition of Joshua Terry and Lewis Robinson for the right to erect and control ferries across Green River, which was read, and,

On motion of Mr. Pace, was referred to the committee on roads, bridges, ferries and canons.

Mr. Rowberry presented "An act to incorporate manufacturing companies," which was read, and,

On motion of Mr. Rich, was referred to the committee on private incorporations.

Mr. Allred presented memorial from the county court and ex-assessor and collector of Sevier county, in relation to delinquent Territorial taxes, which was read; and,

On motion of Mr. Farr, was referred to the committee on revenue.

Mr. Cluff presented memorial from Reddin A. Allred, ex-assessor and collector of Tooele county, in relation to unpaid taxes, in Tooele county, which was read; and,

On motion of Mr. Rowberry, was referred to the committee on revenue.

Mr. Pace presented petition from B. K. Bullock, ex-assessor and collector of Utah county, in relation to unpaid taxes, which was read; and,

On motion of Mr. Rowberry, was referred to the committee on revenue.

Minutes called for, read and accepted.

House adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

———:o:———

THURSDAY, JANUARY 16th, 1868.

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COUNCIL.

Council Chamber, City Hall,
Great Salt Lake City, Jan. 16, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Councilor Johnson, the freedom of the Council Chamber was tendered to Gen. John W. Clampitt, U. S. Special Mail Agent for Utah.

The President of the Council referred the various portions of the Governor's Message to the appropriate committees, as follows, to wit:

That portion of the Governor's Message that relates to the finances, is referred to the committe on revenue.

The portion referring to the prisoners working on the highways, and the inhumanity of exposing them to public gaze, and frequent execration; bearing upon them the symbols of their disgrace, is referred to the committee on penitentiary.

So much as shows the true end of punishment, to be the reform of the prisoner himself, is referred to the committee on judiciary.

So much as refers to the appointment of commissioner of deeds, to be regulated by statute, to reside in other States and Territories, is referred to the committee on judiciary.

That portion of the Message that refers to the location of town sites, and the act of Congress, and the legislation necessary to secure the benefits thereof to the inhabitants, is referred to the committee on municipal corporations.

That portion of the Message that refers to a fund for common schools, arising from sales of town sites above $1 25 per acre, is referred to the committee on public domain and school lands.

The portion of the Message referring to the statute of limitation, for the prevention of litigation, after a reasonable time, is referred to the committee on judiciary.

That portion of the Message that refers to rates of interest, is referred to the committee on agriculture, trade and manufactures.

The portion of the Message in relation to a general corporation act, is referred to the committee on private incorporations and telegraph companies.

The portion on united partnership is referred to the committee on private incorporations and telegraph companies.

That portion on mechanics lien is referred to the committe on agriculture, trade and manufactures.

That portion on cattle drives and the legislation necessary to secure the rights of stock owners, is referred to the committee on agriculture, trade and manufactures.

That portion that refers to a code of proceedings in civil actions, is referred to the committee on judiciary.

That portion that refers to insufficiency of the civil code now in use, and the statutes in relation to divorce, is referred to the committee on revision.

The portion that refers to memorializing Congress for the establishing of a land office, is referred to the committee on public domain.

The portion that refers to the repeal of the oppressive law compelling the people of this and the adjoining Territories, to pay letter postage on all books and transient newspapers, forwarded by mail is referred to the committee on postal affairs.

The portion that relates to the "dwellers upon the Pacific Slope, who by their trials and sacrifices have founded a magnificent empire," is referred to the committee on petitions and memorials.

The consideration of the report of the Auditor of Public Accounts is referred to the committee on claims and appropriations.

The report of the Territorial Treasurer is referred to the committee on Revenue.

The consideration of the report of the Adjutant General is referred to the committee on militia.

Minutes called for, read and accepted.

On motion of Councilor Benson, Council adjourned till to-morrow at 1 o'clock p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
January 16, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Lyman presented petition of A. M. Paul, praying for relief, which was read, and,

On motion of Mr. Rockwood, referred to the committee on militia.

The following was received and read:

Representatives' Hall, Jan. 16, 1868.

To the Hon. the Legislative Assembly of the Territory of Utah:

Gentlemen:—The special committee appointed by your Honorable Body at the Sixteenth Annual Session of the Legislature to continue the collection of historical, geographical and other facts relating to the boundaries, settlement, products, etc., etc., of the Territory of Utah, beg leave to report on the progress of their labors.

Your committee have communicated with the official authorities of each county, and many prominent citizens and scientific gentlemen in the various settlements, from whom they have received numerous elaborate cammunications relating to the information required, some of which are concise and to the point.

Your committee have drawn up a circular embracing the leading items of historical data, desirable to be obtained from every county, which they would be pleased to have printed for distribution in those parts from which reports are deficient, and with which those reports already received could be made to conform. A copy of which is herewith respectfully submitted for the consideration of your Honorable Body.

A. P. ROCKWOOD, Chairman.

On motion of Mr. Rowberry, the report was accepted, and two huundred copies of the circular ordered printed.

Minutes called for, read and accepted.

On motion of Mr. Rich, House adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

FRIDAY, JANUARY 17, 1868.

:o:

COUNCIL.

COUNCIL CHAMBER,
Great Salt Lake City, Jan. 17, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Callister presented petition from John W. Radford and eighty-six others, praying for a charter for Deseret City, which was read, and,

On motion of Councilor Young, said petition was referred to the committee on municipal corporations, Councilor Callister being added to said committee for the consideration of said petition.

Councilor Johnson presented (C. F. No. 2,) "An act to incorporate the Springville Young Men's Library and Reading Room Association," which was read, and,

On motion of Councilor Harrington, was referred to the committee on private incorporations.

Councilor Johnson presented (C. F. No. 3,) "An act concerning Coroners," which was read, and,

On motion of Councilor Benson, was referred to the committee on judiciary.

The requisite oath was administered to Councilor Erastus Snow, by Patrick Lynch, Clerk U. S. District Court, and Secretary of the Council.

Minutes called for, read and accepted.

On motion of Councilor Lorenzo Snow, Council adjourned till to-morrow, 1 p.m.

Benediction by the Chaplain.

:o:

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
Friday, Jan. 17, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The Speaker referred the Governor's Message as follows:

Paragraph 7, to the committee on penitentiary.

Paragraph 8, to the committee on judiciary.

Paragraph 9, to the committeee on municipal corporations.

Paragraphs 10, 11 and 12, to the committee on judiciary.

Paragraph 13, to the committee on agriculture, trade and manufactures.

Paragraph 14, to the committee on private incorporations and telegraph companies.

Paragraphs 15, 16 and 17, to the committee on agriculture, trade and manufactures.

Paragraphs 18 to 20, to the committee on judiciary.

Paragraphs 21 and 22, to the committee on revision.

Paragraph 23, to the committee on petititions and memorials.

Mr. Cluff presented a bill for an act granting unto Lafayette Granger the right to erect and control ferries and bridges across Ham's and Black's Forks in Green river county, which was read, and,

On motion of Mr. Rich, was referred to the committee on roads, bridges, ferries and cañons.

A letter was received and read from Hosea Stout, Esq., City Attorney, acknowledging the courtesy of the House in extending to him the freedom thereof.

Mr. Wright moved that the Hon. Edward Higgins, Secretary of the Territory, be officially and respectfully requested to furnish each member and officer of this Legislative Assembly with one copy of the *Utah Magazine*, in addition to the publications already on our desks.

Seconded and carried.

Minutes called for, read and accepted.

On motion of Mr. Rowberry, the House adjourned till Monday at 10 a.m.

Benediction by the Chaplain.

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SATURDAY, JAUNARY 18, 1868.

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COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 18, 1868, 1 o'clock p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following report was received and read:

To the Hon. the President, and Council:

Gentlemen:—The Military Code Commission appointed by the Legislative Assembly of the Territory of Utah, Jan. 18, 1867, report, in compliance with the resolution appointing them, that they have made progress in the labors devolved upon them, and respectfully ask further time.

DANIEL H. WELLS, Chairman.

Whereupon Councilor Young moved that the House concurring, the Military Code Commission be granted the further time asked for in their report.

Councilor Carrington presented petition from Z. Snow, Deputy Attorney General, praying for an appropriation to compensate him for services rendered as such, which was read, and,

On motion of Councilor Carrington, was referred to the committee on claims and appropriations.

Councilor Carrington presented (C. F. No. 4,) "An act changing the name of Great Salt Lake City to Salt Lake City," which was read, and,

On motion of Councilor Woodruff passed its first reading.

On motion of Councilor Hyde it passed the second reading.

Minutes called for, read and accepted.

On motion of Councilor Smoot, Council adjourned till Tuesday, Jan. 21, 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, State House,
G. S. L. City, U. T., Monday, Jan. 20, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Jacob Gates was qualified by Mr Phelps, and took his seat.

Mr. Giles presented a petition from R. H. Porter, asking a grant for a toll road from Cache Cave to Bear River, in Summit county, which was read, and,

On motion of Mr. Maughan, was referred to the committee on roads, bridges, ferries and cañons.

On motion of Mr. Lyman, the freedom of the House was extended to Gen. J. W. Clampitt, U. S. Special Mail Agent for Utah.

Mr. West presented a memorial, with accompanying constitution, from the Weber County Co-operative Association, soliciting a charter, which was read, and,

On motion of Mr. West, referred to the committee on private incorporations.

A communication was received and read from the Auditor of Public Accounts, asking the Legislature to appropriate the sum of seventy-five dollars to H. K. Cranny, for services rendered the Territory in the collection of delinquent taxes in Cache Co.

On motion of Mr. Pratt, the bill was referred to the committee on claims and appropriations.

Mr. Cluff presented a bill for an act to incorporate the Echo Cañon Wagon Road Company, which was read, and,

On motion of Mr. Pratt, was referred to the committee on roads, bridges, ferries and cañons.

Mr. Allred, chairman of the committee to whom was referred the petition of Lewis Robison and Joshua Terry for the right to establish and control ferries across Green River, reported a bill recommending its passage, which was read, and,

On motion of Mr. Rowberry, the report was accepted and the bill laid on the table to come up in its order.

Mr. West presented a report of the Weber Cañon Road Company, which was read, and,

On motion of Mr. Farr, the report was accepted and ordered spread on the minutes.

GREAT SALT LAKE CITY, January 17, 1868.

To the Honorable the Legislative Assembly
of the Territory of Utah:

Gentlemen:—The Board of Directors of the Weber Cañon Road Company would report that the construction of a wagon road from the mouth of Weber Cañon to Lost Creek settlement on the north side of Weber river, was commenced in May, 1866, and the road in the Lower Cañon was completed so as to open it for the accommodation of the citizens of Morgan county on the 10th of last January, and to hasten the completion of the entire road, it was put under contract in the Fall and Winter of 1866, and the road built during the Winter and following Spring, and so far completed that we anticipated to open the whole road to the public by the first of June, 1867, but, unfortunately, the extreme high waters of last Spring swept away and damaged and destroyed much of our road in both cañons, but more especially in the Lower Cañon at the Devil's Gate and Sheep Rock, the road was torn out and entirely stopped the travel. Thus, when we, by great effort had accomplished this great work and hoped to begin to get some returns from the road, we were forced, in the midst of high waters, to blast down the mountain ledges and make the road over these points; which has been successfully accomplished, but with heavy expense and outlay. Three hundred and fifty pounds of powder and 300 lbs. additional steel was used and as many men as could work to advantage were employed, and much credit is due to all parties who assisted in this great job. Thousands of tons of rock were blasted down before we could secure a permanent foundation for our road at these dangerous points. We have also opened up the road to the mouth of Echo, agreeable to the extension of our charter by your honorable body at your last session, making a distance of about thirty miles.

The expenses and labor forced upon us to repair up those breaches made by the flood, prevented us smoothing the entire distance, as we anticipated.

The bridge at the mouth of the Weber Cañon was greatly endangered and damaged, but by energetic measures, we succeeded in saving the bridge. The center pier was undermined, but it has so far been repaired as to be safe for the present. We have purchased the timber and have it on the spot, to construct it into a suspension bridge, and arrangements have been made to have the work accomplished before the high water of next Spring.

The labor and expenses, so far reported, for the entire work, amount to fifty-five thousand, one hundred and seventy-nine dollars and seventy-two cents ($55,179 72.)

We are indebted to contractors, laborers and other persons who have aided with means to complete the work and pay laborers and expenses, thirteen thousand, one hundred and twenty-nine dollars and eighty-nine cents ($13,129 89.)

We have sold 702 shares in the road, amounting to $35,100 00, but upon which there remains unpaid, and which is a part of our assets, six thousand, three hundred and fifty-four dollars and five cents ($6,354 05.) Two hundred and ninety-eight shares remain unsold, much in consequence of the partial destruction of our wheat crop, and the almost universal destruction of our barley and oat crop, by the grasshoppers, which swept over our farms.

This expected means we relied upon, to meet our cash and store liabilities which circumstance has greatly embarrassed us.

We feel under obligations to several persons for assistance, but more especially to President Brigham Young, who has taken largely of shares in the road, and by a loan of stock, etc., which has greatly aided us in prosecuting the work and meeting some of our liabilities with those who were unable to wait for their pay.

The breaches in the road were so far completed as to partially open the road in July; and on the 24th of November last, a toll gate was established one mile west of Echo.

The rates of toll at the mouth of Weber Cañon have been established:

For each vehicle drawn by one or two animals,...	$1 00
" " additional two animals,........................	50
" horse or mule, rode or led,........................	25
" loose stock, per head,................................	10
" sheep or swine, per head,........................	5

With permit to return free.

Rates of toll established at the Echo station are temporary awaiting the full action of the Board. At the present, the rates are:

For each vehicle drawn by one or two animals,....	75
" " additional two animals,.........................	37½

With permit to return free.

The citizens of Henneferville and the immediate vicinity of the toll gate are charged:

For each vehicle drawn by one or two animals,....	25
" additional two animals..........................	12½

With permit to return free.

Rates of toll for the entire road, through tickets, are established:

For each vehicle drawn by one or two animals,...	$1 50
" additional two animals,..................	85
" mule, or horse, rode or led,............	50
" loose stock, per head,.....................	20
" sheep or swine,................................	10

With permit to return free.

Tolls collected, as reported by toll gate keepers, four thousand two hundred and sixty-five dollars and eigty-one cents (4,265 81,) which amount has been disbursed in the payment of toll gate keepers, and in repairing the road.

At a meeting of the Board Nov. 15, 1867, it was voted to assess the shareholders $5 00 per share, to be collected and expended by the Superintendent in putting the road in better condition for travel, which object is being carried into effect.

The citizens of Morgan county construe the law to require us to build the road through the entire valley; and we have, by the force of circumstances, been obliged to contract and build the road which, when completed, will amount to about six thousand dollars. ($6,000 00)

A committee appointed by the Board of Directors to examine the whole road with a view to determine whether their jobs had been completed agreeable to contract, reported that it would cost two thousand seven hundred and forty-seven dollars ($2,747 00) to complete their contracts. Which amount has been charged back to the parties pending their compliance with these contracts.

STATEMENT OF ACCOUNT

Weber Cañon Road Company,

Dr.			Cr.
To amount due sundry persons,.........	$21,525 50	By amount charged sundry persons......	$2,041 56
		By am't uncollected on shares sold,.......	6,354 05
		By balance,............	13,129 89
	$21,525 50		$21,525 50
To balance..................	$13,129 89	By 298 shares unsold,	$14,900 00

The foregoing report is respectfully submitted, by order of the Board.

CHAUNCEY W. WEST, President.

J. C. LITTLE, Secretary of the
Weber Cañon Road Company.

Mr. Rockwood moved that the committee on revenue be instructed to ascertain if parties having grants for toll roads, bridges and ferries have complied with the requirements of their respective grants, and report at an early day.

Seconded and carried.

Mr. Young, chairman of the committee on Revenue, to whom was referred petition of A. M. Paul, asking for relief, recommended that the committee on claims and appropriations be instructed to incorporate in the Territorial Appropriation Bill the sum of three hundred dollars, to be drawn by D. H. Wells, for the benefit of A. M. Paul.

On motion of Mr. Maughan, the report was accepted and the committee on claims and appropriations so instructed.

Mr. Wright presented a memorial to Congress for the establishment of a Land Office, which was read and laid on the table to come up in its order.

A letter was received and read from F. H. Head, Esq., acknowledging the courtesy of the House in extending to him the freedom of the same.

Minutes called for, read and accepted.

On motion of Mr. Maughan, the House adjourned till 1 p.m. tomorrow.

Benediction by the Chaplin.

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TUESDAY, JANUARY 21, 1868.

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COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 21, 1868, 1 o'clock p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following report was received and read:

Great Salt Lake City, Jan. 18, 1868.

Hon. G. A. SMITH, President of the Council:

Dear Sir:—In conformity with the appointment you done my the honor to confer on me, in virtue of "a Resolution authorizing a committee on a code of practice," approved Jan. 14, 1867, I would beg leave to respectfully report, that I have given the subject deep and careful consideration. The importance of such a code I have never for a moment doubted, while experience daily teaches me to desire that this Legislative Assembly will enact such code this session. In the year 1859, a commission was appointed by the Assembly to report a code of laws and report to the next session of the Legislative Assembly. A code or so much thereof as relates to practice was reported.

I have carefully re-examined the same, and can do no better than to again recommend said code, or that portion thereof as relates to practice, to the favorable consideration of this present Legislative Assembly; believing, as I do, and being strengthened in that belief by a constant practice at the bar, that the same is just such a code as the Assembly desires, which, however, will perhaps need some little alterations and modification consequent upon the changes of times, increase of legal business, etc.

Hoping the above may prove satisfactory, I have the honor to be,

Respectfully yours, HOSEA STOUT.

Hon Geo. A. Smith, Pres. Council.

On motion of Councilor Harrington, said report was referred to the committee of the whole.

Councilor Harrington presented (C. F. No. 5,) "An act to incorporate the Pleasant Grove Library Association," which was read, and,

On motion of Councilor Benson, passed its first reading.

Councilor Hyde presented petition from the citizens of Gunnison, praying for an appropriation to complete a bridge across the Sanpitch river, which was read, and,

On motion of Councilor Young, was referred to the committee on roads, bridges, ferries and cañons.

Councilor Hyde presented petition from the citizens of Piute Co., praying for an appropriation for losses sustained through Indian depredations in 1866, which was read, and,

On motion of Councilor L. Snow, was referred to the committee on Indian affairs.

Councilor Smoot, chairman of the committee to whom was referred the petition of J. W. Radford and others, asking for a city charter for the town of Deseret, made the following report:

To the Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—Your committee to whom was referred the petition of John W. Radford and eighty-six others, asking for a city charter for the town of Deseret, would beg leave to report a bill granting the prayer of the petitioners.

A. O. SMOOT, Chairman.

Council Chamber, Jan. 21, 1868.

Which was read, and,

On motion of Councilor Hyde, was accepted, and the bill laid on the table.

The following communication was received and read:

Representatives' Hall, G. S. L. City,
January 21, 1868.

Geo. A. Smith, President, and Members of the Council:

Gentlemen:—The accompanying petition from J. M. Barker, has been read before the House and laid on the table. It is now forwarded for your action.

The House concur in the action of the Council in relation to the military code commission.

Very respectfully,
JOHN TAYLOR, Speaker.

The accompanying petition was also read and returned to the House.

Councilor Benson presented (C. F. No. 7,) "An act changing the name of Richland county to Rich county," which was read, and,

On motion of Councilor Young, passed its first reading.

Councilor Young, chairman of the committee on private incorporations, made the following report:

The Hon. President and Members of the Council;

Your committee on private incorporations, etc., respectfully report back without amendment, "An act to incorporate the Springville Young Men's Library and Reading Room Association," and see no reason why it should not pass.

Jos. A. Young, Chairman.

(C, F. No. 4,) "An act changing the name of Great Salt Lake City to Salt Lake City," was taken up on its third reading, and,

On motion of Councilor Woodruff, passed by its title and was sent to the House for concurrence.

(C. F. No. 5,) "An act to incorporate the Pleasant Grove Library Association," was read the second time, and,

On motion of Councilor Benson was read the third time by its title, and,

On motion of Councilor Harrington, passed, and was sent to the House for concurrence.

(C. F. No. 6,) "An act to incorporate Deseret City, in Millard county," was taken up on its second reading, and,

On motion of Councilor Harrington, was read the third time by its title, and,

On motion of Councilor Young, passed by its title and was sent to the House for concurrence.

Minutes called for, read and accepted.

On motion of Councilor Woodruff the Council adjourned till tomorrow 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 21st, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

A communication was received from the Council, enclosing a motion from Mr. Young, asking the House to concur in extending to the military code commision further time to prosecute their labors, which was read, and,

On motion of Mr. Maughan, the House concurred.

Mr. Rowberry presented petition of J. M. Barker, in relation to recent scientific discoveries, which was read, and,

On motion of Mr. Wright, was laid on the table.

Mr. Thurber moved that the committee on agriculture, trade and manufactures be instructed to inquire of the several county courts (so far as practicable) the number of estray cattle that have been impounded during the years 1866-7. Also, how many have been sold, and for what amount; how many have been claimed and taken out; and at what cost to the owners; and how much has been paid or stands to the credit of school funds; with such other information as they may be able to obtain, that we may be informed of the working of our present law regulating estray pounds, and report at an early day.

Seconded and carried.

A letter was received and read from Gen. A. L. Chetlain, acknowledging the courtesy in extending to him the freedom of the House.

Mr. Allred, chairman of the committee on roads, bridges and ferries, to whom was referred the petition of Layfayette Granger, for the right to erect and control bridges and ferries across Black's and Ham's Forks, reported a bill and recommended its passage, which was read, and,

On motion of Mr. Wright, the report was received and the bill laid on the table to come up in its order.

Mr. Allred, chairman of the committee on roads, bridges and ferries, to whom was referred the petition of R. H. Porter for the right to construct a toll road from Cache Cave to Bear River, in Summit county, reported a bill and recommended its passage.

Said bill was read, and,

On motion of Mr. Reese, the bill was laid on the table to come up in its order.

Mr. Wright, chairman of the committee on private incorporations, to whom was referred (H. F. No. 1,) "An act relative to incorporations for manufacturing and other purposes," reported back said bill with amendments, for the further consideration of the House.

Said bill was read, and,

On motion of Mr. Rockwood, was referred back to the committee.

The Speaker added Messrs. Farr and Rockwood to said committee on the further consideration of the bill.

Minutes called for, read and accepted.

On motion of Mr. Wright, the House adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain.

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WEDNESDAY, JANUARY 22, 1868.

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COUNCIL.

COUNCIL CHAMBER,
Great Salt Lake City, Jan. 22, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Callister presented petition from James King and seventy-eight others, citizens of Deseret City, praying for an appropriation to build a bridge across the Sevier river, which was read, and,

On motion of Councilor Harrington, was referred to the committee on roads, bridges, ferries and cañons.

(C. F. No. 7,) "An act changing the name of Richland county to Rich county," was taken up on its second reading, and,

On motion of Councilor Benson, was referred to the committee on judiciary.

The following communication was received and read:

Salt Lake City, U. T., Jan. [illegible], 1868.

Hon. Geo. A. Smith, President of the Council:

Sir:—Your communication of the 15th inst., tendering me the freedom of the Council Chamber during the present session is just received.

I appreciate the favor, and shall take pleasure in availing myself of it.

Extending to you and to the Members of the Council my sincere thanks for this courtesy, and assuring you and them of my profound respect and esteem, I have the honor to be,

Respectfully, your obt. serv't,

A. L. Cheltain.

Minutes called for, read and accepted.

On motion of Councilor Benson, Council adjourned till to-morrow 1 p.m.

Benediction by the Chaplain.

HOUSE.

Representatives' Hall, G. S. L. City,
January 22, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received from the Council announcing their passage of (C. F. No. 4,) "An act changing the name of Great Salt Lake City to Salt Lake City," (C. F. No. 5,) "An act to incorporate Pleasant Grove Library Association," and (C.F. No. 6,) "An act to incorporate Deseret City, in Millard County," and enclosing the same for the action of the House.

Said bill, (C. F. No. 4,) "An act changing the name of Great Salt Lake City to Salt Lake City," was read, and,

On motion of Mr. Rowberry, was laid on the table to come up in its order.

Said bill, (C. F. No. 5,) "An act to incorporate Pleasant Grove Library Association," was read, and,

On motion of Mr. Rowberry, was referred to the committee on private incorporations.

Said bill, (C. F. No. 6,) "An act to incorporate Deseret City, in Milliard County," was read the the first time, and,

On motion of Mr. Midgley, was laid on the tableto come up in its order.

Mr. Evans presented petition for the extension of the boundaries of Pleasant Grove City," which was read, and,

On motion of Mr. Rowberry, was referred to the committee on municipal corporations.

Mr. Cluff presented petition from Edward H. Rodeback and 101 other citizens of Summit county, relative to the grant of H. S. Alexander and others, for toll bridge across Weber river, which was read, and,

On motion of Mr. J. F. Smith, was referred to the committee on roads, bridges and ferries.

Mr. S. S. Smith presented petition for an act to amend Cedar City charter, which was read, and, On motion of Mr. West, was referred to the committee on municipal corporations.

Mr. S. S. Smith presented petition from Henry Lunt and others, asking a charter for the Cedar City Library and Reading Room Association, with accompanying bill for an act, which was read, and,

On motion of Mr. Cluff, was referred to the committee on private incorporations.

Mr. Rowberry presented a bill for "An act concerning costs and fees of courts, and for other purposes," which was read, and,

On motion of Mr. Rowberry, was referred to the committee on judiciary.

Business in order called up.

A bill for "An act granting unto Lewis Robison and Joshua Terry the right to erect and control ferries across Green river," was read the first time.

The memorial to Congress asking for the establishment of a land office, was read the first time, and,

On motion of Mr. Cluff, said memorial passed to its second reading, and,

On motion of Mr. Rich, said memorial was read by its title and so passed.

The bill for an "Act granting unto Lafayette Granger the right to erect and control bridges and ferries across Ham's and Black's Forks," was read the first time.

The bill for "An act granting unto R. H. Porter the right to construct a toll road from Cache Cave to Bear river," in Summit county, was read the first time.

Minutes called for, read and accepted.

On motion of Mr. Evans, House adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

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THURSDAY, JANUARY 23, 1868.

COUNCIL.

COUNCIL CHAMBER, G. S. L. City,
January 23d, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

On motion of Councilor Smoot, the Council went into a committee of the whole, to consider the report of Hosea Stout, Esq., chairman of the code of practice committee.

On motion of Councilor Harrington, the committee arose.

Councilor Smoot, chairman of the committee of the whole, presented the following report:

Mr. President:—The committee of the whole have, according to order, had under their consideration the report of the code commission, and have made progress therein, but without coming to any conclusion, the committee have arisen.

A. O. SMOOT, Chairman.

G. S. L. City, Jan. 22d, 1868.

Which was read and received, and the report of the code commission referred back to the code commissioner, with instructions to associate the Council committee on revision thereto, to alter or amend, and report at an early day.

Councilor Benson presented a petition from Saml. Roskelley and George Barber, of Smithfield, Cache county, praying for a charter for a road and toll bridge in Cache county, which was read, and,

On motion of Councilor Hyde, was referred to the committee on roads, bridges, etc.

The following communication was received from the House:

Representatives' Hall, Salt Lake City, Jan. 22, 1868.

To the Hon. George A. Smith, President,
and Members of the Council.

Gentlemen:—The accompanying "Memorial to Congress, for the establishment of a Land Office," has this day passed the House, and is respectfully forwarded for your action.

Very respectfully,

JOHN TAYLOR, Speaker.

The said memorial was read, and,

On motion of Councilor Benson, was referred to the committee on petitions and memorials.

Councilor E. Snow presented the following report:

To the Hon. President and Council:

Gentlemen:—Your committee on Indian Affairs, to whom was referred petition of certain citizens of Sanpete county, asking indemnification for losses of stock, etc., sustained through Indian depredations, would respectfully report that in our opinion, such losses have been so frequent and so heavy, in various sections of this Territory, that the Territorial Government would be unable, if so disposed, to pay them out of her Treasury; but we furthermore regard it as a matter belonging to the General Government exclusively, it being charged by the Constitution with the duty of regulating all matters pertaining to Indian tribes within her borders, as well as the protection of her citizens from Indian depredations. We therefore recommend that the General Government be memorialized on the subject so soon as the accounts can be properly collected and forwarded, and that to facilitate the measure, the accompanying resolution be adopted.

ERASTUS SNOW, Chairman.

Which was read, and,

On motion of Councilor Benson, the resolution was laid on the table.

The following communication was received and read:

Great Salt Lake City, Jan. 22, 1863.

Hon. George A. Smith, President, and
Hon. Members of the Legislative Council:

Gentlemen:—I am requested by the Members of the City Council of this city, to acknowledge the receipt of your kind note, courteously extending to them the freedom of the Council Chamber during the present session of the Legislative Assembly.

With many thanks for the invitation, we shall be pleased to avail ourselves of this privilege, as opportunity shall permit.

Wishing you every success and happiness in your labors, I have the honor to remain,

Very respectfully yours,

In behalf of the City Council. D. H. WELLS, Mayor.

Minutes called for, read and accepted.

On motion of Councilor Hyde, the Council adjourned till tomorrow 10 a.m.

Benediction by the Chaplain.

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HOUSE.

HOUSE OF REPRESENTATIVES.

G. S. L. City, Jan. 23, 1863.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Reese presented petition from James Leithead and 100 others, citizens of the settlements on the Muddy, in relation to changing the road from Salt Lake City, thence, which was read, and,

On motion of Mr. Thurber, was referred to the committee on roads, bridges and ferries.

Mr. Wright, chairman of the committee on private incorporations, to whom was referred (C. F. No. 5,) "An act to incorporate Pleasant Grove Library Association," reported back said bill with amendments, which bill was read, and,

On motion of Mr. Rockwood, the report was received and the bill laid on the table to come up in its order.

Mr. Wright, chairman of the committee on private incorporations, to whom was referred the bill to incorporate the "Cedar City

Library and Reading Room Association," reported back said bill with amendment to the title, recommending the passage of the same, which was read, and,

On motion of Mr. Pratt, the amendment was accepted, and the bill laid on the table to come up its order.

Mr. Rockwood, chairman of the committee on municipal corporations, to whom wrs referred the petition of the Mayor, City Council and Aldermen of Cedar City, reported adversely to said petition, and,

On motion of Mr. Pratt, the House concurred in the report, and the committee were discharged from the further consideration of the subject.

Business in order taken up.

The bill for "An act changing the name of Great Salt Lake City to Salt Lake City," was taken up on its second reading, pending which,

On motion of Mr. Pratt, said bill was referred to the committee on municipal corporations, with instructions.

(C. F. No. 6,) "An act to incorporate Deseret City, in Millard county," was taken up on its second reading, pending which,

On motion of Mr. Far, said bill was referred to the committee on municipal corporatious, with instructions.

(H. F. No. 4,) "An act granting unto Lewis Robison and Joshua Terry the right to establish a ferry across Green River, was taken up on its second reading, pending which,

On motion of Mr. Farr, said bill was referred back to the committee on roads, bridges and ferries, for amendment.

On motion of Mr. Allred, Messrs. Farr and Maughan were added to the committee for the further consideration of said bill.

Mr. Rockwood moved that the committee on Revenue be instructed to ascertain what amount, if any, has been paid by the Secretary of the Territory of Utah, as contemplated in the appropriation bill approved Jan. 18, 1867.

Seconded and carried.

Minutes called for, read and accepted.

On motion of Mr. Cluff, House adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

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FRIDAY, JANUARY 24, 1868.

COUNCIL.

Council Chamber,
Great Salt Lake City, Jan. 24, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Benson moved that the Hon. Edwin Higgins, Secretary of Utah, be requested to furnish the Legislative Council a few copies of the statutes at large for 1867.

Councilor Harrington moved that the Hon. Edwin Higgins be requested to furnish the Legislative Hall with a flag staff, during the present session.

Councilor Harrington moved that the House be requested to associate the House revision committee with the Council committee, to take into consideration the code of practice act.

On motion of Councilor Smoot, Charles W. Stayner was elected Engrossing Clerk.

(C. F. No. 8,) Joint Resolution in relation to Indian spoliations, was read, and,

On motion of Councilor Hyde, was amended, and passed as amended and sent to the House for concurrence.

Councilor L. Snow, chairman of the committee on petitions and memorials, to whom was referred (H. F. No. 5,) memorial to Congress for the establishment of a land office, presented the following report, which was read:

To the President and Council:

Gentlemen:—Your committee on memorials and petitions, to whom was referred the memorial from the House to Congress to establish a land office in this Territory, beg leave to report a substitute, and recommend its passage.

Lorenzo Snow, Chairman.

On motion of Councilor Smoot, the report was accepted, and the memorial adopted, and sent to the House for concurrence.

The following communications were received and read:

Secretary's Office, Utah Territory,
G. S. L. City, Jan. 24, 1868.

To Hon. Geo. A. Smith, Prest. of the Council:

Sir:—I have made arrangements with the Postmaster of this city, by which he will pay and forward all communications of the Members, the Presiding Officer, and the Chief Clerk of each House of the Legislative Assembly that are marked "Official Business," with their official signatures annexed, during the present session.

Very respectfully, Edwin Higgins,
Secretary of Utah Territory.

Secretary's Office, Utah Territory,
G. S. L. City, Jan. 24, 1868.

Sir:—I have the honor to acknowledge the receipt of your communication of the 15th inst., containing information of the fact that the freedom of the Council Chamber has been tendered to me, during the present session of the Legislature.

I beg that you will convey to the Honorable Gentlemen of the Council my thanks for the courtesy thus extended, with the assurance that it will afford me much pleasure to avail myself of the privilege.

Very respectfully,

EDWIN HIGGINS, Secretary Utah Territory.

To Hon. Geo. A. Smith, President of the Council.

Minutes called for, read and accepted.

On motion of Councilor Haight, Council adjourned till to-morrow 1 p.m.

Benediction by the Chaplain.

:o:

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
January 24, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Allred moved that the committee on militia be instructed to take into consideration the propriety of offering relief to officers and soldiers wounded, and heirs of officers and soldiers killed in the Black Hawk war in Sanpete county in 1866-7, also relief to persons doing service or furnishing supplies at an early day.

Seconded and carried.

Mr. Reese, chairman of committee on agriculture, trade and manufactures, to whom was referred that portion of the Governor's Message relative to interest, reported a bill for "An act on Interest and Damage," which was read, and,

On motion of Mr. West, said bill was laid on the table to come up in its order.

Mr. Rockwood, chairman of the committee on municipal corporations, to whom was referred (C. F. No. 4,) "An act changing the name of Great Salt Lake City to Salt Lake City," reported the same back with amendments, which was read, and,

On motion of Mr. Pratt, the amendments were accepted.

Mr. Rollins moved that the committee on claims and appropriations be instructed to place on the appropriation bill one thousand dollars, to be expended in improving the road between Beaver City and Minersville, and building a bridge across Bear River, at a point near one and a half miles above Minersville, and connecting with the road to the southern settlements and Pahranagat, and,

On motion of Mr. Rockwood, said motion laid on the table until the Territorial Road Commissioner's report be received.

Business in order taken up.

(H. F. No. 2,) a bill for "An act granting unto Lafayette Granger the right to erect and control bridges and ferries across Ham's and Black's Forks in Green River county," was taken up on its second reading, pending which,

On motion of Mr. Rich, said bill was referred to the committee on roads, bridges and ferries, with instructions.

(H. F. No. 6,) a bill for "An act granting unto R. H. Porter the right to construct a toll road from Cache Cave to Bear River in Summit county," was taken up on its second reading, pending which, the minutes being called for, the bill was laid on the table to come up in its order.

A message was received from the Council and read, requesting the House to associate the committee on revision, with the like committee of the Council, to take into consideration a code of practice reported by the code commission.

On motion of Mr. J. F. Smith, said committee were so instructed.

A communication was received from His Honor Edward Higgins, Secretary of the Territory, announcing that arrangements had been made with the Postmaster of Salt Lake City, extending the usual postal accommodation to the Assembly.

Minutes called for, read and accepted.

On motion of Mr. Rich, House adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

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SATURDAY, JANUARY 25, 1868.

COUNCIL.

COUNCIL CHAMBER,
G. S. L. City, Jan. 25, 1868, 1 o'clock p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communications were received and read:

Representatives' Hall, Salt Lake City, Jan. 25, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The House have concurred with the Council in their request to associate the House committee on revision with the Council committee, to take into consideration a code of practice.

Very respectfully,
JOHN TAYLOR, Speaker.

Representatives' Hall, Salt Lake City, Jan. 25, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The House has concurred in (C. F. No. 8,) "Joint

Resolution in relation to Indian spoliations," also in (C. F. No. 9,) "Memorial to Congress for the establishment of a land office."

Very respectfully,

JOHN TAYLOR, Speaker.

Minutes called for, read and accepted.

On motion of Councilor Callister, the Council adjourned till Monday, Jan. 27, 10 a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, G. S. L. City,
January 25, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by Mr. Gates.

A message was received and read from the Council announcing their passage of (C. F. No. 8,) "Joint resolution in relation to Indian Spoliations," and their adoption of memorial to Congress for the establishment of a land office, as a substitute for House memorial on the same subject; both of which were forwarded for the action of the House.

(C. F. No. 8,) "Joint Resolution in relation to Indian Spoliations," was taken up and read, and,

On motion of Mr. Rich, the House concurred.

Said memorial to Congress for the establishment of a land office, was read, and,

On motion of Mr. Farr, the House concurred.

Mr. Rich, chairman of committee on claims and appropriations, to whom was referred claim of H. K. Cranny, of seventy-five dollars for services rendered the Territory in the case of the Territory *versus* T. E. Ricks, recommended that fifty dollars be inserted in the Territorial Appropriation Bill to liquidate said claims.

On motion of Mr. Reese, the report was accepted and the committee on claims and appropriations so instructed.

Business in order taken up.

(H. F. No. 6,) "An act authorizing E. H. Porter to construct a toll road from Cache Cave to Bear River, in Summit county," pending the second reading of which, the House adjourned on Friday, was taken up, and,

On motion of Mr. Pratt, the bill was rejected.

Minutes called for, read and accepted.

On motion of Mr. Maughan, the House adjourned till 10 a.m. on Monday.

Benediction by the Chaplain.

MONDAY, JANUARY 27, 1868.

COUNCIL.

COUNCIL CHAMBER,
Great Salt Lake City, Jan. 27, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor L. Snow, chairman of the committee on roads, bridges, etc., presented the following report:

To the President and Council:

Your committee to whom was referred the petition of citizens of Deseret City, beg leave to report adversely to granting said petition.

LORENZO SNOW,
Chairman of Committee on Roads, etc.

Which was read, and,

On motion of Councilor Woodruff, the report was received, and the committee discharged from further consideration of the subject.

Councilor E. Snow presented a petition from James Leithead and ninety-nine others, praying for an appropriation of fifteen hundred dollars, to improve the road between Muddy Valley and Millersville, which was read, and,

On motion of Councilor Benson, was referred to the committee on roads, bridges, etc.

Minutes called for, read and accepted.

On motion of Councilor Haight, the Council adjourned till to-morrow 1 p.m.

Benediction by the Chaplain.

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HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 27, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Cluff presented petition of the Mayor and City Council of Coalville City, with accompanying bill, for the extension of the boundaries of said city and for other purposes, which was read, and,

On motion of Mr. Evans, was referred to the committee on municipal corporations.

Mr. Rockwood, chairman of committee, to whom was referred (C. F. No 6,) "An act to incorporate Deseret City in Millard County," reported the same back with amendments, which was read, and,

On motion of Mr. Maughan, the report was received and the bill laid on the table to come up in its order.

Business in order taken up.

(C. F. No. 5,) "An act to incorporate Pleasant Grove Library Association," was taken up on its first reading, and,

On motion of Mr. J. F. Smith, was read the second time by sections, and,

On motion of Mr. Evans, was read the third time by its title.

The title was read, approved, and the bill so passed.

(H. F. No. 7,) "An act to incorporate the Cedar City Library and Reading Room Association," was taken up on its second reading, and,

On motion of Mr. Evans, passed to its third reading by its title.

The title was read, approved, and the bill so passed.

(H. F. No. 9,) "An act in relation to Interest and Damage," was read the first time.

(C. F. No. 4,) "An act changing the name of Great Salt Lake City to Salt Lake City," was read the second time, and,

On motion of Mr. Rich, was read the third time by its title, and,

On motion of Mr. Rockwood, the title of the bill was amended so as to read, "An act changing the names of Great Salt Lake City and Great Salt Lake County," and the bill so passed.

Minutes called for, read and accepted.

On motion of Mr. Rich, the House adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain.

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TUESDAY, JANUARY 28, 1868.

—:o:—

COUNCIL.

Council Chamber,
G. S. L. City, Jan. 28, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

Executive Office, Utah,
Great Salt Lake City, Jan. 27, 1868.

Hon. G. A. SMITH, President of the Council.

Sir:—I have this day approved, signed and deposited in the Office of the Secretary of the Territory, "A joint resolution in relation to Indian spoliations." Also a memorial to Congress praying for a land office in Utah Territory, and requested the Secretary to forward the same to our Delegate in Congress.

Respectfully yours,
CHARLES DURKEE, Governor.

Councilor Carrington presented a communication from Z. Snow, Esq., Deputy Attorney General, which was read, and,

On motion of Councilor Young, was ordered to be printed with the minutes.

To the Governor and Legislative Assembly of the
Territory of Utah:

The undersigned Deputy Attorney General having been for some years past engaged in the practice of the law as an Attorney and as a Judge of the Courts, has discovered a few things in which he is of the opinion the law needs further Legislative enactments to which he begs leave to call the attention of your Honors.

1.—Two or more persons may confederate and conspire together to defraud, to cheat, and to delay, hinder, and defeat the ends of justice without being punished by virtue of any statute of Utah.

2.—A person may compose, write, and publish any false, malicious and defamatory libel, without exposing himself to punishment by virtue of any statute of Utah.

3.—Our statute relating to swindling and cheating is very defective and inartificially drafted, and should be remodeled and enlarged.

4.—The law has not sufficiently provided the means of serving parties with process when one or more of the parties reside out of the jurisdiction of the court.

5.—There is no law limiting the time within which civil actions may be commenced, called statutes of repose.

6.—Some two hundred years ago there was a law passed in England called the statute of frauds, which required certain contracts to be in writing to make them valid. This law has been re-enacted in the most, if not all the States of the Union, but it is not in force here. In my opinion the law with modifications is a good one.

7.—The law relating to divorce and alimony, in my opinion, in a few instances is not sufficiently clear as to its true intent, and makes no provisions for service of process, when the husband or wife, as the case may be, is out of the Territory.

8.—There is a just ground for the passage of a law relating to fugitives from justice.

If a crime is committed in our State or Territory, and the culprit flees to another State, under certain conditions the Constitution and laws of Congress provide for them; but suppose the person has not been charged with the crime in the State where committed, and is found in another State or Territory, what is to be done? I submit the question.

Very respectfully, Z. Snow.

The following communication was received from the House:

Representatives' Hall, Jan. 28, 1868.

Hon Geo. A. Smith, President, and
Members of the Council:

Gentlemen,—The House have passed (C. F. No. 5,) "An act to incorporate Pleasant Grove Library Association, with the following amendments:—In first section, by substituting the names written on the margin of the bill, and omitting the names in the original bill, which are crossed out in pencil. In second section, by substituting the word "seven" for the word "five." The title of the bill is also amended. Do you concur?

Also passed (H. F. No. 7,) "An act incorporating Cedar City Library Association." Said bills are herewith forwarded for the action of the Council.

Very respectfully,
JOHN TAYLOR, Speaker.

Which was read, and,

On motion of Councilor Young, (C. F. No. 5,) was laid on the table for further consideration.

(H. F. No. 7,) "An act incorporating Cedar City Library Association," was read, and,

On motion of Councilor Young, was laid on the table.

Councilor Callister gave notice that he would, at an early day, present a general incorporation act for literary and scientific purposes.

On motion of Councilor Young, Councilor Carrington was added to the committee on revision for the consideration of the code of practice.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Jan. 28, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The accompanying bill, (C. F. No. 4,) "An act changing the name of Great Salt Lake City," has been amended by adding section 2; and the title has been made to read as follows: "An act changing the names of Great Salt Lake City and Great Salt Lake County." Do you concur in the amendments?

Very respectfully,
JOHN TAYLOR, Speaker.

(C. F. No. 4,) "An act changing the name of Great Salt Lake City," was read as amended, and,

On motion of Councilor Carrington, was further amended, passed as amended, and returned to the House for their concurrence in the amendments.

Minutes called for, read and accepted.

On motion of Councilor L. Snow, Council adjourned till to-morrow 1 p.m.

Benediction by the Chaplain.

:o:

HOUSE

REPRESENTATIVES' HALL,
G. S. L. City, Jan. 28th, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Merrill presented petition from W. G. Smith and 91 others, citizens of Morgan County, praying for the removal of the county seat from Littleton to Morgan City, which was read, and,

On motion of Mr. Cluff, was referred to the committee on counties.

Mr. Farr presented a report from the Auditor of Public Accounts with accompanying documents, in relation to delinquent Territorial taxes, which were read, and,

On motion of Mr. Rich, was referred to a special committe; and,

On motion of Mr. Wright, one hundred and fifty copies of the report were ordered printed.

SPECIAL REPORT
OF THE
AUDITOR OF PUBLIC ACCOUNTS
IN RELATION TO
DELINQUENT TERRITORIAL TAXES.

To the Honorable the Legislative Assembly
of the Territory of Utah:

GENTLEMEN:—I take the liberty to lay before your Honorable body a brief report of my efforts, during the year just ended, to accomplish the settlement and collection of delinquent taxes due to the Territorial Treasury from the several counties, under and by virtue of "An act authorizing the Auditor of Public Accounts to enforce the collection of delinquent Territorial taxes, and for other purposes," approved Jan. 18, 1867.

No doubt every member of the Legislative Assembly is familiar by actual personal experience, with the exceeding scarcity of money, the dullness of trade, and consequent difficulty attending the transaction of business so far as pertains to money matters in every section of the Territory during the whole of the year just ended. Perhaps there has not been so unpropitious a time to endeavor to enforce the payment of delinquent taxes long due, within the last ten years. A delinquent might be ever so willing and anxious to pay his indebtedness, yet it has seemed impossible to possess himself of the necessary funds at any sacrifice. The general cry has been, "the money to pay with is not in the country, and the people must have time to turn their property, and produce, in order to raise the means to pay with." Cache county has suffered very severely in destruction of crops by grasshoppers. Summit county and several others have suffered in a similar manner, while Sanpete, Sevier and Piute counties have suffered yet more extensively by Indian depredations, causing loss of time, crops, property and even human life. Under all these unfavorable circumstances it has been considered wisdom to temper justice with mercy, and while using every effort to encourage and enforce settlement and payment, yet not to extend the pressure so far as to seriously injure or absolutely distress any of the delinquents. Under this consideration, after every effort in reason had been exerted, and which was successful only in a small degree, in the month of October last, seeing that payment in money could not be enforced before the time for the meeting of the Legislative Assembly, it was considered best to take from all the delinquent assessors who could not make payment, personal security by mortgage on real estate or otherwise, with the understanding that they should not relax their efforts until the whole of the delinquent taxes shall be paid into the Treasury. This course has been adopted, as you will observe by reading the following pages, and the assessors and collectors, with one or two exceptions, have cheerfully responded, by promptly giving the required security. I have good reason to believe that all the taxes for which security has been given, less the lawful remittances, will, in time, be paid, with the exception of the amount due from Cache county. The delinquent assessor and collector is evidently seriously involved, and I would respectfully suggest that a committee be appointed to enquire into all the facts within reach in his case, so that in the event it should be considered wisdom to pass a bill of relief in his behalf, said committee might understandingly report such a bill as they in their judgment should deem advisable. A similar course might be suggested in behalf of David Candland, whose memorial is already before your Honorable Body.

The following pages will show the present situation of the accounts with each assessor and collector throughout the Territory, presented with a view to giving a correct understanding of the matter in as brief and condensed a form as is consistent with facts.

GREAT SALT LAKE COUNTY.

All Territorial taxes for this county are paid in full up to the close of the year 1866. There is due on taxes for 1867, the sum of $8,198 44, which I am satisfied will also be paid in full on or before June 1st, 1868.

UTAH COUNTY.

A delinquent account of $342 15 has been standing against B. K. Bullock, as assessor and collector since the year 1856-7. He claims that allowance should be made for errors in assessment rolls, in regard to which I have recommended him to memorialize your Honorable Body. The amount, $342 15 is now secured by deed for lot 6, block 7, of Provo City, with the improvements thereon, to be held until payment is made, or the delinquency otherwise disposed of by some action of your Honorable Body.

John B. Millner, assessor and collector for 1861-3, has paid into the Treasury during the year 1867 $239 06, leaving him still delinquent in the sum of $1,153 36 for 1861-3, which is secured to the Territorial Treasury by deed for two city lots in Provo City, on file in this office.

George W. Bean, assessor and collector for 1864-5, has paid into the Treasury during the year 1867 $300, leaving him still delinquent in the sum of $3,274 50 for 1864-5, which is amply secured to the Territorial Treasury by mortgage on property in and adjoining Provo city. I have satisfactory evidence that Mr. Bean is using every exertion to pay these arrearages in full, with the least possible delay.

A. F. McDonald, the present assessor and collector, has settled in full for the year 1866, and has paid considerably over half the Territorial tax for the year 1867. Judging from his past payments, he will pay all his arrears before the 1st of June, 1868.

CACHE COUNTY.

The delinquent accounts of Thomas E. Ricks as assessor and collector, are in a much more serious situation than those of any other assessor and collector in the Territory. It would appear that he has fallen so far in arrears, he has become discouraged and has relaxed in his efforts towards settlement. About four thousand dollars is still unpaid for the years 1860 to 1864, and towards this large sum there has been no payments since December, 1865. The total arrears of Mr. Ricks, as per Auditor's books, amounts to $7,558 86, but as there have been but small credits for remittances for the years 1864-5-6, it is probable he is entitled to considerable credit on that account. Feeling very desirous to secure the Territory against the ultimate loss of this large sum, Mr. Granney, of Logan, was instructed to commence suit against the delinquent before the Probate Court of Cache County, and to obtain judgment and security by mortgage on such property as would be considered ample to secure the Territorial Treasury. This has been done in part, and a list of personal property held by the Sheriff of Cache county is now on file in this office, said personal property at its appraised value, amounting to $6,357 63, and is held as security, awaiting further instructions from your Honorable Body. The difference between amount thus secured and the total delinquent taxes, arises from remittances made by the County Court at its July and December terms, 1867, amounting to $1,226 03, which embraced remittances for the years 1860-1-2-3-4-5-6, and which I have not credited on the Auditor's books, (at least the largest portion) because I considered the Court had acted contrary to law, yet I am satisfied Mr. Ricks is entitled to credit for most of said amounts, not heretofore credited, and would recommend that he be allowed credit for the uncredited amounts by your Honorable Body. After deducting the remittances already credited, there would be $1,167 75 to be credited on account of remittances if your Honorable Body should authorize allowance of said remittances. Some instructions are earnestly solicited as to what further steps, if any, shall be taken in this case.

WEBER COUNTY.

The assessor and collector for this county, Mr. Sanford Bingham, has paid up his arrears in full, to the close of the year 1866. He has also paid about one fifth of the tax of 1867. From the energy manifested by him during the past year, I feel an assurance that he will close his account for the year 1867 before the 1st of June, 1868.

DAVIS COUNTY.

Mr. Arthur Stayner, the assessor and collector, has paid over two thousand dollars in liquidation of his delinquencies during the year 1867. After a full adjustment of his accounts he is still deficient for the years 1862-3-5-6, in the sum of $3,071 89, which is secured by mortgage on real estate, said mortgage being on file in this office. He has also paid over one-fourth of the tax of 1867, and I am encouraged to believe he will not cease his exertions until the whole arrears are paid, but allowing for the great stringency of the times, it may require the greatest portion of another year to effect a full and complete settlement.

WASHINGTON AND KANE COUNTIES.

At the last session of the Legislative Assembly $2,500 of delinquent taxes due from these counties was appropriated to be expended on the public roads in said counties. I have not yet been able to get a report as to whether the labor has been performed or not. Under date Nov. 7, 1867, the county clerk writes "the work on the roads in this county is progressing but the returns at this time are incomplete." Washington county has made no payment for taxes of 1867.

TOOELE COUNTY.

Andrew J. Blodgett, assessor and collector for Tooele county, in the years 1856-7, stands charged with delinquencies for those years amounting to $121 92. He has long since left the Territory, probably never to return. I would respectfully recommend that the amount should be abated by your Honorable Body. William Lee, assessor and collector for 1859, is also in arrears for $21 80. I have written to the Probate Court in past years a number of times in reference to these delinquents, but for some reason or other, failed to get a response. I would suggest the propriety of abating both sums.

Reddin A. Allred was assessor and collector in 1864. He is deficient $755 70. Before he could collect the tax he was called, or removed to Summit county. He has given a mortgage to secure the debt, but claims he is justly entitled to some abatements and remittances for which he promised to memorialize your Honorable Body. A communication from him, under date November 27, 1867, would perhaps be of service to the committee appointed to investigate his claims for remittances. It will be forthcoming if wanted.

H. S. Gowans has paid his account for 1866 in full. For the year 1867 he has yet paid but a moiety. All the tax for 1866 has been paid during the year 1867. He appears energetic and reliable.

SANPETE COUNTY.

Wm. Morrison, the assessor and collector for 1861 has paid during the year 1867 on account of his arrears $600, leaving him still deficient $664 67, which is secured by mortgage or deed of trust for sundry lots in Sanpete county, estimated amply sufficient to indemnify for his indebtedness.

David Candland, assessor and collector for the years 1863-4 is delinquent in the sum of $797 21, which is also secured by mortgage on real estate. His memorial for relief and statement of subjects for remittance has already been presented to your Honorable Body.

Amasa E. Merriam, the present assessor and collector, has paid in full for the year 1866 with the exception of a small balance of $34 91. He has paid nothing however on the $1,275 due for 1867, but is reported to be working faithfully towards a full settlement.

BOX ELDER COUNTY.

Charles Wight, the assessor and collector, has paid everything in full to the end of the year 1866. He has also paid nearly half of the tax due for the year 1867, and will soon have paid up in full. His county is entitled to credit for general punctuality in the payment of taxes.

JUAB COUNTY.

Samuel Pitchforth, assessor and collector, has closed all his delinquencies except $130 owing on account of 1866, secured by mortgage on team. He has also paid over half the tax due for the year 1867. This county has also been generally prompt to time.

SUMMIT COUNTY.

This county is more than ordinarily deficient in the matter of Territorial taxes. Charles E. Griffin, the assessor and collector for 1861-2, is still deficient $100 22. Has paid nothing since June 1864, and I have not yet been able to obtain either payment or security.

The Territorial tax for 1864 has never yet been reported. I have written frequently for the report, but have thus far been unable to obtain it from either the Probate Judge or County Clerk. I can form no idea of the amount delinquent for that year.

Henry S. Alexander was assessor and collector for 1865-6. The total nett amount of tax due for those two years was $1,552 71, of which sum he has only paid $150, leaving a deficiency of $1,402 71 still due and unpaid to the Territorial Treasury. He has forwarded me a mortgage on real estate to secure $1,200 of the amount, but no explanation in regard to the remaining two hundred dollars.

John Boyden is the present assessor and collector. He has paid about one fourth of the tax for 1867, and I have assurances that he will lose no time in collecting and paying over balance for that year.

MILLARD COUNTY.

John Kelly is the assessor and collector. He is delinquent for the years 1863-4-5-6 only $106. He is fast paying up, and I am looking every mail for remittance sufficient to cover said delinquency. He has only paid about one-fourth of the tax due for 1867, but I am assured no time will be lost in making a full settlement.

MORGAN COUNTY.

There is a delinquency against this county for the years 1862-3 of $858 27. The last payment was made in December 1866. I have not been able to learn who the original assessor and collector was.

John Boyden was assessor and collector for 1865-6. He is deficient $358 18. Has promised to collect and pay over as fast as possible, and would give security, but he is a poor man, with only one arm, and has no property. I have confidence he will use his best efforts to settle at an early day.

Thomas B. G. Welch is assessor and collector for 1867. He has paid one-fifth of the taxes due for that year. He is working to collect the tax and make settlement as fast as circumstances will permit.

IRON COUNTY.

Richard Benson, assessor and collector for 1863, is delinquent $42 91. Nearly three years since he was called on a mission to

England. Previous to starting for Europe he offered to turn over property to the Treasurer to pay the debt; but as the Treasurer could only receive money or Auditor's Warrants, the offer was refused, and the debt is still unpaid. If your Honorable Body should think best to remit the amount, I think, under the circumstance, it would be a mark of generosity duly appreciated by the delinquent, as his circumstances are far from prosperous.

Daniel Page, the assessor and collector for 1864-5 is in arrears $39 49, which will probably be paid during the coming spring.

W. C. Mitchel, the present assessor, has paid in full for the year 1866, and has also paid two-thirds of the tax for 1867.

WASATCH COUNTY.

John Harvey, assessor and collector for 1862, is owing a balance of $86 27. He has tendered ample security for the amount, and has promised to pay during the approaching summer.

Thomas H. Giles, the assessor and collector for 1865-6-7, is deficient $264 12, on account of 1865-6, and has paid nothing on account of 1867. He is, however, fast paying up his delinquencies, and I trust that by the first of June next, I shall obtain full settlement of all arrears to date.

BEAVER COUNTY.

Nathan H. Carlow, assessor and collector for the years 1861-2-3, collected the taxes for those three years, and absconded from the Territory, forgetting to pay over the collected taxes to the Territorial Treasurer. The amount of his defalcation was $973 36: to say, $105 21 for 1861, $505 69 for 1862 and $342 46 for 1863. Learning that his securities had property belonging to Carlow under their control sufficient to pay a large portion if not the entire delinquency, I instructed the Probate Court of Beaver county to collect the amount from Carlow's bondsmen. The result, so far, has been payment in full by the securities for the year 1861; $167 50 paid on account of 1862, and $171 on account of 1863. Partial security is given for the remainder, and the bondsmen have agreed to pay in full before the 1st July, 1868. The matter is still in charge of the Probate Court.

Horace A. Skinner has collected and promptly paid over the taxes of 1864-5-6. He has paid over one-third of the tax of 1867, and will soon have his account closed for the year 1867 in full.

RICHLAND COUNTY.

I inclose a report of the county clerk showing that the taxes of 1865-6, amounting to $1,103, have been expended on the road from Huntsville to Ithaca in accordance with appropriation for that purpose made by the Legislative Assembly of 1866-7. The amount appropriated was $1,400. They now ask for authority to apply $297 of the tax of 1867 in payment for labor done on said road, being balance of the $1,400 appropriation. The total nett amount of tax due from said county for 1867 is $460 37, or $163 37 more than now applied for by the county clerk. As that settlement is new, comparatively weak and isolated, perhaps your Honorable Body will authorize the expenditure of the whole tax of 1867 in further improving the public highways.

PIUTE COUNTY.

The delinquent taxes due for 1865-6 amount to $270 35. Owing to Indian difficulties the settlements have been mostly abandoned, the former settlers scattered, and owing to loss of crops, homesteads, etc., are in a poor and destitute condition, as generally reported. It is doubtful whether the taxes can ever be collected.

SEVIER COUNTY.

The nett amount due from this county for 1865-6, is $317 20, nealy all of which is due for 1866. As you are aware, this county has also suffered severely from Indian depredations, and it is a question whether the unpaid taxes can ever be collected. It is for your Honorable Body to say whether relief shall be extended to this and Piute counties, for the whole or a part of the taxes thus due and unpaid.

There can be no doubt that the leniency and indulgence shown to the people, and to assessors and collectors, in regard to the matter of taxes, from the first organization of the Territory, has tended in some degree to bring about and encourage the present universal laxity and indifference, besides resulting in immense loss of Territorial revenue. The general feeling expressed by delinquent collectors during the past season, is one of satisfaction that there is an effort being made to correct this evil, and to have it generally and universally understood that the taxes must be collected and paid into the Treasury within the time prescribed by law. Experience has taught the lesson to many, that as a general principle, it is much easier to pay the tax when first assessed than at any time thereafter; and it is certainly far easier to pay one year's tax within the year, than it is to pay an accumulation of two, three or four years in one sum at some future time. Were this principle of policy and economy more generally considered, it would certainly relieve the collectors from an immense amount of unnecessary labor, annoyance and loss of time. Judging from the oft repeated statements of collectors, it is not the poorer classes, the mechanics, and those who earn their bread by days' labor who are delinquent, as a general rule, but the capitalists, wealthy farmers, and men of ample means. It is believed that members of the Legislature, and prominent and influential men and officers, civil and ecclesiastical, in their different settlements and districts, could exert an influence to bring about a prompt and cheerful payment of taxes with but small effort on their part, but which would soon produce an healthy reaction on this subject amongst the people.

There has been quite a difference of understanding between the Auditor and some of the probate judges, in reference to the meaning of section 8 of "An act authorising the Auditor of Public Accounts to enforce the collection of delinquent Territorial taxes." It has been construed by the courts, that the term "current year in the second line of said section refers to the year 1867 only, and that the courts have jurisdiction by said act to remit taxes as heretofore as far back as they see proper. A different opinion was entertained by the Auditor, and after taking the opinion of the Attorney General on the subject, it was concluded that all remittances by the courts during the year 1867, except in so far as they pertained to the current year 1867, were illegal, and consequently they have not been credited on the books of this office. There is little doubt but that most, if not nearly all of said remittances should be credited to the different assessors and collectors, but were neglected in the proper season thereof. I have requested all those having such claims for remittances to petition your Honorable Body for allowance, believing there is no other legal method of correcting the accounts arising from such neglect. I inclose the report of remittances made by the county court of Cache county at its July and December sittings for the year 1867, for the action of your Honorable Body. These remittances have not been credited, except so far as they refer to the year 1867. I would respectfully ask that the papers may be returned to this office after your committee has done with them, as I have no other evidence from which to credit the amounts should their allowance be sanctioned. In making allowances for remittances and abatements coming up in this form, care should be taken not to authorize the crediting of any remittances where the same has been previously credited.

There are many other subjects connected with the collection of taxes which could be referred to, perhaps profitably, such as neglect of having responsible bondsmen for assessors and collectors (you will note by one of the accompanying papers that the collector for Cache county did not give bonds far the years 1860-6); the unequal valuation of property in different counties; the loss sustained by the Territory through people moving from one county to another after being assessed, leaving their taxes unpaid, and there being no provision in the law to reach them in another county without considerable expense to the collectors, etc., etc. But this report is already too lengthy, and I fear will be considered tedious. I will therefore forbear and respectfully submit the same for your consideration.

Very sincerely, your obt. servt.,

WM. CLAYTON,
Auditor of Public Accounts.

Salt Lake City, Jan. 27, 1868.

The Speaker appointed Messrs. Lorin Farr, J. C. Wright, Peter Maughan, A. K. Thurber, C. C. Rich and Enoch Reese said special committee.

Mr. Allred presented memorial from David Candland, ex-Assessor and Collector of Sanpete county, asking for remittances of delinquent Territorial taxes, which was read, and,

On motion of Mr. Wright, referred to the special committee.

A message was received and read from the Council, announcing their further amendments to (C. F. No. 4,) "An act changing the names of Great Salt Lake City and Great Salt Lake County."

Said bill was read as amended, and,

On motion of Mr. Maughan, the House concurred in the amendments of the Council.

Mr. Rockwood, chairman of committee on municipal corporations, to whom was referred (H. F. No. 10,) "An act extending the boundaries of Coalville City, in Summit county," reported the same back with amendments, which were read, and,

On motion of Mr. Wright, the bill was laid on the table to come up in its order.

Minutes called for, read and accepted.

On motion of Mr. Cluff, the House adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

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WEDNESDAY, JANUARY 29, 1868.

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COUNCIL.

COUNCIL CHAMBER,
Great Salt Lake City, Jan. 29, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Jan. 28, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House concur in your amendments to (C. F. No. 4,) "An act changing the name of Great Salt Lake City, &c."

Very respectfully,
JOHN TAYLOR, Speaker.

Councilor Carrington, chairman of the committe on judiciary, to whom was referred (C. F. No. 7,) "An act changing the name of Richland county to Rich county," made the following report:

Great Salt Lake City, Jan. 29, 1868.

To the President and Council:

Gentlemen:—Your committee, to whom was referred "An act changing the name of Richland county to Rich county," herewith report said act with amendments, and recommend that it be passed as amended.

ALBERT CARRINGTON,
Chairman of Committee on Judiciary.

Which was read, and,

On motion of Councilor Smoot, the report was accepted, and the bill read the second time as amended, and,

On motion of Councilor Carrington, was read the third time by its title, and so passed, and sent to the House for their concurrence.

Councilor Carrington presented the following report of the Territorial road Commissioner:

TERRITORIAL ROAD COMMISSIONER'S OFFICE,
Great Salt Lake, City, Jan. 25, 1868.

To the Hon. the Legislative Assembly of the
Territory of Utah:

Gentlemen:—According to the provisions of law, I have the honor to present a brief statement of the condition of roads and bridges, and the amount expended thereon since my last annual report.

The floods of the past season throughout the Territory have damaged and destroyed roads and bridges to a great extent, and in many localities requiring an outlay of a large amount to keep them open for the traveling public.

Among the losses of the present or past season, is that of the Provo bridge, caused by the impermanence of the abutments, clearly demonstrating the impracticability with the means attainable in this section, of building bridges upon anything except piles permanently driven.

The use of a pile driver in the construction of bridges has already proven a source of economy, and the amount expended for the same during the past season was an investment highly beneficial to the interests of the Territory.

A permanent bridge has been built across the Ogden river at a cost of.. $4495 15

An appropriation of.. $3000 00
was made for that purpose by the Legislative Assembly,
leaving a balance of.. $1495 15
for which no appropriation has been made.

There has been expended on Bear Lake road in Beaver Cañon and on Dry dugway.. $383 00

The balance of the appropriation of 1866 unexpended
was $138 48
leaving a balance unappropriated of.......................... $244 52

The delinquent taxes of Richland county for 1865-6, has also been expended upon that road, and a report has been made to the Auditor of Public Accounts according to the provisions of law.

A bridge has been nearly completed the present season across the Weber river in Weber county, as yet, the bills have not all been presented, therefore, am unable to give the amount expended thereon, but presume, with the levy or embankment, it will cost about.. $10000 00

The appropriation of 1866, for 1600 00
has been expended for repairing the bridge across Blacksmith's Fork and improving the road through Logan bottom.

There has been expended on Jordan bridge and the State road running west from Great Salt Lake City $2376 25
The amount appropriated was.. $2000 00
leaving a balance unappropriated of..................................... $376 25

Several bridges have been built and repaired on the State road running south from G. S. L. City and about one fifth of the amount appropriated has been expended thereon.

Five hundred dollars of the appropriation made for building a bridge across the Sevier on the road to Richfield has been expended, but owing to the Indian difficulties in that section during the past season, the work was suspended.

The Sevier bridge was considerably damaged by high water and required an outlay for repairs of....................................... $200 00
for which no appropriation has been made.

I respectfully ask that an appropriation be made for the several sums set forth as unappropriated, amounting in the aggregate to two thousand three hundred and fifteen dollars and ninety-two cents, and would also respectfully recommend that an appropriation be made as a contingent fund, to be applied on roads and bridges during the current year.

Archibald Gardner has expended on the Jordan Bridge at Gardner's mill, as per bill filed in my office, one thousand five hundred and eighty seven dollars and fifty-four cents, for which I respectfully recommend that an appropriation be made to reimburse him for the outlay.

Very respectfully,
THEODORE MCKEAN,
Territorial Road Commissioner.

The following communication was received from the House:

Representatives' Hall, Salt Lake City,
January 29, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House have this day passed (C. F. No. 7,) "An act changing the name of Richland County to Rich County," also (C. F. No. 8,) "An act to incorporate Deseret City, in Millard County," which has been amended. Do you concur in the amendment?

Very respectfully,
JOHN TAYLOR, Speaker.

(C. F. No. 6,) "An act to incorporate Deseret City, in Millard County," was read as amended, and,

On motion of Councilor Callister, the amendments were concurred in, and so the bill passed.

Councilor Woodruff, chairman of the committee on agriculture, trade, etc., asked for instructions in relation to cattle drives, upon which, a lengthy discussion ensued.

Minutes called for, read and accepted.

On motion of Councilor Young, Council adjourned till to-morrow 1 p.m.

Benediction by the Chaplain.

* * *

HOUSE.

REPRESENTATIVES' HALL,
G. S. L. City, January 29, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Allred presented petition of Peter Rasmussen and 63 others, citizens of Salina, Sevier county, for relief, which was read, and,

On motion of Mr. Allred, was referred to the committee on Indian Affairs.

A. K. Thurber, chairman of committee on revenue, to whom was referred petitions of B. K. Bullock, R. A. Allred, and the assessor of Sevier county for abatements, reported that inasmuch as a special committee had been appointed for the consideration of those subjects, the committee would return said petitions to the table recommending their reference to said special committee.

On motion of Mr. Wright, the report was received and the petitions referred to said special committee.

Mr. Allred, chairman of committee on roads, bridges, etc., to whom was referred back the bill for "An act granting unto Lewis Robison and Joshua Terry the right to establish and control ferries across Green River," reported that the committee deemed it inexpedient to legislate thereon.

On motion of Mr. Evans, the committee were discharged from the further consideration of the subject.

A message was read from the Council announcing their passage of (C. F. No. 7,) "An act changing the name of Richland county to Rich county."

Said bill was read the first time, and,

On motion of Mr. Evans, said bill was read the third time by its title.

The title was read, approved, and the bill so passed.

Business in order taken up.

(C. F. No. 6,) "An act to incorporate Deseret City, in Millard County," was read the second time, and,

On motion of Mr. Thurber, said bill was read the third time by its title.

The title was read, approved, and the bill so passed.

(H. F. No. 9,) "An act in relation to Interest and Damage," was read the second time, and,

On motion of Mr. Lyman, was referred to the committee on judiciary.

Mr. Farr, chairman of committee on judiciary, to whom was referred (H. F. No. 9,) "An act in relation to Interest and Damage," reported a substitute bill, which was read, and,

On motion of Mr. Pace, was laid on the table to come up in its order.

(H. F. No. 10,) "An act changing the boundaries of Coalville City, in Summit County," was read the second time, and,

On motion of Mr. Cluff, was read the third time by its title.

The title was read, approved, and the bill so passed.

Minutes called for, read and accepted.

On motion of Mr. J. F. Smith, House adjourned till 1 p.m. to-to-morrow, 1 p.m.

Benediction by the Chaplain.

THURSDAY, JANUARY 30, 1868.

COUNCIL.

Council Chamber, Salt Lake City,
January 30, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

Executive Office, Utah, Salt Lake City,
January 29th, 1868.

Hon. George A. Smith, President of the Council:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act changing the name of Great Salt Lake City and Great Salt Lake County," also a bill entitled "An act changing the name of Richland county to Rich county."

Charles Durkee, Governor.

Councilor Callister presented (C. F. No. 10,) "An act to provide for the incorporation of literary and scientific associations, which was read, and,

On motion of Councilor L. Snow, was referred to the committee on education.

Councilor Harrington presented a petition from Arza Adams and 224 others, praying for a division of Utah county, which was read, and,

On motion of Councilor L. Snow, was referred to the committee on counties, and Councilors Harrington and Johnson were added to the commiitee for the consideration of said petition.

Councilor Harrington presented a petition from Thomas J. McCulloch and 44 others, praying for amendments of the estray pound laws, which was read, and,

On motion of Councilor Callister, was referred to the committee on agriculture, trade, etc.

Councilor Benson moved that a special committee be appointed to act with a like committee of the House, to examine the Auditor's accounts, also examine in relation to delinquent taxes, and report at an early day.

The President appointed Councilors Benson, E. Snow and Jos. A. Young said special committee, with instruction to confer with the committee of the House.

Councilor Harrington presented a petition from Wm. Shelley and 188 others, praying for an appropriation to build a bridge across Jordan river, north of Lehi, which was read, and,

On motion of Councilor Smoot, was referred to the committee on roads, bridges, etc.

Minutes called for, read and accepted.

On motion of Councilor Smoot, the Council adjourned till tomorrow 10 a.m.

Benediction by the Chaplain.

:o:

HOUSE.

REPRESENTATIVES' HALL,
S. L. City, Jan. 30, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following report was received and read:

Office Secretary of Utah Territory,
Salt Lake City, Jan. 30, 1868.

Hon. John Taylor, Speaker of the House:

Sir:—I have the honor to acknowledge the receipt of your communication of the 28th inst., containing information of the fact that the freedom of the House has been extended to me.

You will please convey to the Honorable gentlemen of the House my thanks for the honor thus tendered me. I shall be glad to avail myself of the privilege upon every convenient occasion.

Very respectfully,

EDWIN HIGGINS, Secretary of Utah Ter.

Mr. Pace presented petition of Geo. W. Bean, ex-assessor and collector of Utah county in relation to delinquents Territorial taxes, which was read, and,

On motion of Mr. S. S. Smith referred to the special committee.

Mr. Evans presented petition of W. H. Wind and 251 others, citizens of the northern part of Utah county, praying for a division of Utah county, which was read, and,

On motion of Mr. West was referred to the committees on counties.

Mr. Thurber presented petitions of Silas Hillman and 147 others, citizens of Spanish Fork; John B. Fairbanks and 186 others, citizens of Payson, Joseph Mathews and 99 others, citizens of Santaquin, also Nelson Higgins and 46 others, citizens of Pondtown, praying for the division of Utah county, which were read, and,

On motion of Mr. Maughan, referred to the committee on counties

Mr. Reese, chairman of committee on Penitentiary, to whom was referred the report of the Directors and Warden reported the following:

Committee Room, Jan. 30, 1868.

To the Speaker and Members of the
House of Representatives:

Gentlemen:—Your committee ou Penitentiary, to whom was referred the report of the Directors and Warden of the Penitentiary, beg leave to report that we have carefully examined the reports and accounts and made inquiry into the condition of the affairs of the Penitentiary and are well satisfied with the way it has been conducted under the supervision of the Warden.

We find in his hands the sum of $350 78 unexpended. Your committee recommends that the committee on appropriations be instructed to place in the Territorial appropriation bill the sum of $1,800 00, to cover the expenses that have accrued the last year over and above the appropriation, and the sum of $1,126 75, to pay for convict labor performed on the public highway, and the sum of $2,000 for the current expenses of the ensuing year, and the further sum of $1,200, to pay the salary of the Warden.

That portion of the Governor's Message that relates to the Penitentiary and the laboring of convicts, we heartily coincide with, but on account of the shortness of the time for which they generally serve and the few in number we do not think it would be wisdom to try the experiment at present, as there would have to be superintendents to every department of business' and the expenses would be increased thereby to a large amount which your committe consider would not be expedient at the present time.

ENOCH REESE, Chairman of Committee.

which was read, and,

On motion of Mr. West, the committee on claims and appropriations were instructed to insert the respective amounts recommended in the Territorial Appropriation Bill.

Mr. Rockwood moved that the committee on roads, bridges and ferries be instructed to call on the Territorial Road Commissioner for his report in relation to the Territorial Road from Salt Lake City to Wanship, Summit county.

Seconded and carried.

Mr. Allred, chairman of committee on roads, bridges, etc., to whom was referred the bill granting unto Lafayette Granger the right to establish and control ferries and bridges across Ham's and Black's Fork's, reported legislation thereon unnecessary.

On motion of Mr. Reese, the committee were discharged from the further consideration of the subject.

The following was received and read:

Proposal to the Hon. Legislative Assembly of the Territory of Utah:

The undersigned proposes to build a good substantial bridge, (16 feet wide) with railing complete, across Provo river, in Utah county, and keep the same in good repair for five years, for the sum of six thousand dollars. Said bridge to be built the coming season.

G. S. L. City, Jan. 29, '68. ARCHIBALD GARDNER.

On motion of Mr. West, the proposal was referred to the committee on roads, bridges and ferries.

Minutes called for, read and accepted.

On motion of Mr. West, House adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

——:o:——

FRIDAY, JANUARY 31, 1868.

COUNCIL.

COUNCIL CHAMBER,
Salt Lake City, Jan. 31, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The President referred the Territorial Road Commissioner's report to the committees on roads, bridges, ferries and cañons, and on Revenue.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Jan. 29, 186[illegible]

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The accompanying bill, (H. F. No. 10,) "An act changing the boundaries of Coalville, in Summit county," has this day passed the House and is respectfully forwarded for your action.

Very respectfully,
JOHN TAYLOR, Speaker.

(H. F. No. 10,) "An act extending the boundaries of Coalville, in Summit county, and for other purposes," was read the first time, and,

On motion of Councilor Carrington was read the second time by sections, and,

On motion of Councilor Carrington, the bill was amended by striking out section 2, except the repealing clause, and,

On motion of Councilor Haight, the bill passed its third reading as amended, and,

On motion of Councilor Carrington, passed by its title, and sent to the House for their concurrence in the amendments.

Councilor E. Snow presented a petition from Richard Bentley and 96 others, citizens of St. George, praying for the repeal of "An act pertaining to damage done to animals, approved Jan. 19, 1865," so far as relates to the city of St. George.

Which was read, and,

On motion of Councilor L. Snow, was referred to the committee on agriculture, trade, etc.

A communication was read from Judge McCulloch of Washington county, which was ordered to be printed with the minutes.

Permit me to call your attention to certain points in which to me our laws seem insufficient. Driving animals from their accustomed range, without the owner's consent, should be made a penal offence. The no fence law should be made a fence law as far as pertains to our cities. To declare the no fence law inoperative in our cities is not sufficient, because by our statutes a law repealing a former law, if it is afterwards repealed, does not revive the former law unless words are expressed to that effect. See page 32, Sec. 2. Probate Judges should have expressed concurrent jurisdiction in all cases in which Justices of the Peace have jurisdiction. Our laws should expressly give the right of garnishment on all judgments, if sufficient property cannot be found, as well as on writs of attachment—the index to our laws is insufficient. Animals with recorded brands, when sold, should have the brand vented.

I wish our Territory would consent to bear the expenses of prisoners after convicting them; they receive the benefit of their labors and should bear their expenses. The burden falls heavy on our remote counties.

The selling of stock on the range which have not recorded marks and brands, and which are not pointed out to the purchaser by the seller or his agents, should subject both the seller and purchaser to a penalty.

Can our Mark and Brand law be made plainer, pages 210 and 211, Sec. 8. If it read "are forfeited and shall be sold by the poundkeeper at public sale, without publication in a newspaper, and the proceeds, after deducting all legal expenses, be paid into the school fund," it would be saying what it already means—or else it is a superfluity in our statutes and should be repealed—marking or branding unmarked or unbranded cattle over 18 months old, unless purchased at a poundkeeper's sale, should be made penal.

The excuse for marking and branding cattle which is afterwards proven not to be the property of the person marking or branding is generally that said stock were purchased on the range by description and not by bona fide delivery—that they supposed they had marked the right ones, or branded the ones they had purchased. I want the excuse dried up, and men made amenable for their acts. If they are not positive as to their ownership, let them let cattle alone or suffer the consequence.

Councilor Hyde presented a petition from William Price and 63 other citizens of Goshen precinct, praying for annexation to Juab county, which was read, and,

On motion of Councilor Carrington, was referred to the committee on counties.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
January 31, 1868.

Hon Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House has this day passed (H. F. No. 11,) "An act incorporating Richmond City in Cache county," and the same is herewith forwarded for the action of your Honorable Body.

The House concur in your amendments to (H. F. No. 10,) "An act amending the Coalville charter."

Very respectfully,
JOHN TAYLOR, Speaker.

(H. F. No. 11,) "An act incorporating Richmond City in Cache county," was read, and,

On motion of Councilor Benson, was read the second time by sections, and,

On motion of Councilor Carrington, was read by its title and so passed, and the bill returned to the House concurred in.

Minutes called for, read and accepted.

On motion of Councilor Benson, Council adjourned till to-morrow 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
Salt Lake City, Jan. 31st, 186

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Allred, chairman of committee on roads, bridges, etc., to whom was referred petition of E. H. Rodeback and 102 others, citizens of Summit county, in relation to the grant of H. S. Alexander, reported "An act amending an act, granting unto H. S. Alexander the right to establish and control a toll bridge or bridges across Weber river, in Summit county," which was read, and;

On motion of Mr. Wright, was laid on the table to come up its order.

Mr. Maughan presented a bill for "An act to incorporate Richmond City, in Cache county," which was read the first time, and,

On motion of Mr. Reese, was read the second time by sections, and;

On motion of Mr. Evans, was read the third time by its title.

The title was read, approved, and the bill so passed.

The following was received and read:

Mr. Speaker and Members of the House of Representatives:

Gentlemen:—Your committee, to whom was referred the motion offered by Mr. Allred, to enquire into the feasibility of providing relief for soldiers wounded and the heirs of soldiers who were killed, and others who have done service or furnished supplies during the Black Hawk war, in the years of 1865-6-7, beg to report that, in their opinion, the motion does not cover the ground desired, for it omits to mention those individuals who have lost their entire crops and whose cattle have been driven off by hostile Indians, leaving them destitute and entirely dependent on the charity of their brethren for subsistence.

BRIGHAM YOUNG, JR.,
Chairman of Committee on Militia.

On motion of Mr. Rich the report was received and the committee were discharged from the further consideration of the subject.

The following message from the Council was received and read:

Council Chamber, Jan. 31, 1868.

Hon. John Taylor, Speaker:

The Council has amended (H. F. No. 10,) "An act extending the boundaries of city of Coalville, Summit county, and for other purposes," and passed said bill as amended. Do you concur in the amendments.

Very respectfully,
GEO. A. SMITH, President of the Council.

On motion of Mr. West, the House concurred.

Mr. Midgley moved that the committee on education be instructed to take into consideration the propriety of introducing a bill in which to define the meaning of the term "common schools" used in the act entitled "An act providing for the establishment and support of Common Schools," approved Jan. 1866.

Seconded and carried.

Mr. Merrill presented petition of John Boyden, ex-assesser and collector of Morgan county, in relation to remittances of delinquent taxes, which was read, and,

On motion of Mr. Wright, was referred to the special committee.

Minutes called for, read and accepted.

On motion of Mr. Evans, the House adjourned till 10 a.m. on Monday, Feb. 3d.

Benediction by the Chaplain.

SATURDAY, FEBRUARY 1, 1868.

COUNCIL.

COUNCIL CHAMBER,
Salt Lake City, Feb. 1, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Benson, chairman of the committee on counties, made the following report:

Committee Room, Jan. 31, 1868.

Mr. President and Gentlemen of the Council:

The committee on counties, to whom was referred a petition for the division of Utah county, have carefully considered the subject in all its bearings, and with their present understanding and from that wisdom they have been enabled to glean by consultation with prominent citizens of said county, deem it inexpedient to legislate thereon at present. The committee consider that a far better remedy for the evils complained of can be supplied, than by a division of the county.

E. T. BENSON,
Chairman of the Committee on Counties.

Which was read, and,

On motion of Councilor Carrington, the report was accepted, and the committee discharged from the further consideration of the subject.

Z. Snow, Esq., Deputy Attorney General, presented the following:

To the Honorable George A. Smith,
President of the Legislative Council:

Your petitioner, the undersigned, respectfully requests the privilege of withdrawing from the Council and the Council committee on claims, my petition for a compensation for services as Deputy Attorney General for Utah, together with the accompanying papers.

Z. SNOW.

Salt Lake City, Jan 30, 1868.

Which was read, and,

On motion of Councilor Benson, the request was acceded to.

Minutes called for, read and accepted.

On motion of Councilor Haight, the Council adjourned till Monday, Feb. 3, 10 a.m.

Benediction by the Chaplain.

MONDAY, FEBRUARY 3, 1868.

COUNCIL.

COUNCIL CHAMBER,
Salt Lake City, Feb. 3, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Geo. A. Smith presented a petition from John R. Murdock and 162 others, citizens of Beaver, praying for an appropriation to improve the road and erect a bridge on the Beaver river, which was read, and,

On motion of Councilor Harrington, was referred to the committee on roads, bridges, etc.

Councilor L. Snow, chairman of the committee on roads, bridges, etc., to whom was referred the petition of Samuel Roskelly and Geo. Barber, made the following report:

Mr. President and Gentlemen of the Council:

Your committee, to whom was referred the petition of Samuel Roskelly and Geo. Barber, asking for transfer of right to build a bridge, etc., beg leave to state that, in their opinion, it would be improper to legislate now upon that subject.

LORENZO SNOW,
Chairman on Roads, Bridges, etc.

Which was read, and,

On motion of Councilor Smoot, the report was accepted, and the committee discharged from the further consideration of the subject.

Moved by Councilor E. Snow, that the Hon. Edwin Higgins, Secretary of Utah, be requested to furnish the members and officers of the Council each, a copy of *Our Dixie Times*. Seconded and carried.

Councilor L. Snow, chairman of the committee on roads, bridges, etc., made the following report:

Mr. President and Gentlemen of the Council.

Your committee, to whom was referred petition of citizens of Muddy Valley for an appropriation to improve the road south of Millersville, beg leave to recommend that the sum of fifteen hundred dollars be included in the general appropriation bill for the purpose of improving the road between Millersville and Muddy Valley, to be applied under the direction of E. Snow.

LORENZO SNOW,
Chairman of Committee on Roads, etc.

Which was read, and,

On motion of Councilor Harrington, the report was accepted, and the committe on claims and appropriations instructed accordingly.

Minutes called for, read and accepted.

On motion of Councilor Callister, the Council adjourned till to-morrow 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, Salt Lake City,
February 3, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented petition of Archibald Gardner, asking the Territory to reimburse him for expenses incurred in building the bridge across Jordan river near "Gardner's Mill," which was read, and,

On motion of Mr. Wright, referred to the committee on roads, bridges and ferries.

Mr. Merrill presented petition of W. G. Smith and fifty-one others, citizens of Morgan county, with accompanying bill, praying for the incorporation of Morgan City, which were read, and,

On motion of Mr. West, was referred to the committee on municipal corporations.

Mr. Layton presented a bill for "An act to incorporate the city of Kaysville, in Davis county," which was read, and,

On motion of Mr. Rowberry, was referred to the committee on municipal corporations.

Mr. Maughan presented a bill for "An act to incorporate Smithfield City," which was read, and,

On motion of Mr. Evans, was referred to the committee on municipal corporations.

Mr. Gates, chairman of committee on Indian Affairs, to whom was referred petition of Peter Rasmussen and 63 others, citizens of Salina, Sevier county, reported inexpedient to legislate thereon, but recommended that said petition be filed in the Adjutant-General's office for future reference.

On motion of Mr. Rockwood, the report was received and the petition ordered to be forwarded to the Adjutant-General's office as recommended by the committee.

Mr. Rich presented petition from William Hyde, Judge of Probate, and 284 others, citizens of Cache county, in relation to the delinquencies of T. E. Ricks, ex-assessor and collector for said county, which was read, and,

On motion of Mr. Rockwood, was referred to the special committee.

Minutes called for, read and accepted.

On motion of Mr. West, the House adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain.

:o:

TUESDAY, FEBRUARY 4, 1868.

:o:

COUNCIL.

COUNCIL CHAMBER,
Salt Lake City, Feb. 4, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Woodruff presented a petition from John H. Picknell and 250 others, citizens of Salt Lake City, praying for the privilege of erecting meat stalls in various wards of the city, which was read, and,

On motion of Councilor Benson, was referred to the committee on agriculture, trade, etc.

Councilor Johnson presented (C. F. No. 11,) "An act to amend an act, entitled an act prescribing certain qualifications necessary to enable a person to be eligible to hold office, vote or serve as a juror," which was read, and,

On motion of Councilor Benson, was referred to the committee on judiciary.

The following communication was received and read:

Executive Office, Utah,
Salt Lake City, Feb. 3, 1868.

Hon. Geo. A. Smith, President of the Council:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of the Territory a bill entitled "An act to incorporate Deseret City, in Millard county."

CHARLES DURKEE, Governor.

Councilor Carrington, chairman of the committee on education, made the following report:

Council Chamber, Feb. 4, 1868.

To the President and Council:

Your committee on education, to whom was referred (C. F. No. 10,) "An act to provide for the organization of literary and scientific associations," herewith report said act amended and recommend that it pass as amended.

ALBERT CARRINGTON,
Chairman.

Which was read, and,

On motion of Councilor Woodruff, (C. F. No. 10,) "An act to provide for the organization of literary and scientific associations," was read the first time as amended, and,

On motion of Councilor E. Snow, was read the second time by sections, and,

On motion of Councilor Callister, was read the third time, and so passed and sent to the House for their concurrence.

The following communication was received and read:

Representatives' Hall, Salt Lake City, Feb. 4, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The accompanying bills, (H. F. No. 15,) "An act incorporating the city of Smithfield, in Cache county," and (H. F. No. 13,) "An act incorporating the city of Morgan, in Morgan county," have this day passed the House and are respectfully forwarded for your action.

Very respectfully,
JOHN TAYLOR, Speaker.

Councilor Woodruff, chairman of the committee on agriculture, trade, etc., made the following report:

Council Chamber, Feb. 4, 1868.

To the President and Council:

Gentlemen:—Your committee, to whom was referred the petition of John H. Picknell and 250 others, asking for the privilege of establishing meat markets in other portions of the city, would report that the power and authority to regulate meat markets within the limits of the city corporation has been granted by legislative enactment to the city authorities. Hence your committee deem it inexpedient to legislate thereon at this time.

W. Woodruff, Chairman.

Which was read, and,

On motion of Councilor Smoot, the report was accepted, and the committee discharged from the further consideration of the subject.

(H. F. No. 13,) "An act incorporating the city of Morgan in Morgan county," was taken up on its first reading, and,

On motion of Councilor Carrington, was laid on the table to come up in its order.

Councilor Carrington, chairman of the committee on judiciary, made the following report:

Council Chamber, Feb. 4, 1868.

To the President and Council:

Gentlemen:—Your committee on judiciary, to whom wrs referred (C. F. No. 11,) "An act to amend an act approved Jan. 21, 1859," report a substitute for said act, and recommend that the substitute pass.

Albert Carrington,
Chairman.

Which was read, and,

On motion of Councilor Woodruff, (C. F. No. 11,) "An act to amend an act entitled an act prescribing certain qualifications necessary to enable a person to be eligible to hold office, vote or serve as a juror," passed its first reading, and,

On motion of Councilor Carrington, was read the second time, and,

On motion of Councilor Woodruff, was read the third time, and so passed and sent to the House for their concurrence.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 4, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The accompanying bill, (H. F. No. 14,) "An act incorporating Kaysville City in Davis county," has this day passed the House, and is forwarded for your action.

Very respectfully,

John Taylor, Speaker.

(H. F. No. 13,) "An act incorporating the city of Morgan, in Morgan county," was taken up on its second reading, and,

On motion of Councilor L. Snow, was read the third time, and,

On motion of Councilor Benson, was read by its title, and so passed and sent to the House concurred in.

(H. F. No. 15,) "An act incorporating Smithfield city, in Cache county," was taken up on its first reading, and,

On motion of Councilor Benson, was read the second time, and,

On motion of Councilor Carrington, was read the third time, and so passed, and sent to the House concurred in.

(H. F. No. 14,) "An act incorporating Kaysville city, in Davis county," was taken up on its first reading, and,

On motion of Councilor Haight, was laid on the table for further consideration.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 4, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—Your bill entitled "An act amending an act prescribing certain qualifications necessary to enable a person to be eligible to hold office, vote or serve as a juror," has this day passed the House.

Very respectfully,
JOHN TAYLOR, Speaker.

Minutes called for, read and accepted.

On motion of Councilor E. Snow, the Council adjourned till *to-morrow* 1 p.m.

Benediction by the Chaplain.

—:o:—

HOUSE.

REPRESENTATIVES' HALL, Salt Lake City,
February 4, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following was received and read:

Executive Office, Utah,
Salt Lake City, Feb. 3, 1868.

Hon. John Taylor, Speaker of the
House of Representatives:

Sir:—I have approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act extending the boundaries of Coalville, in Summit county."

CHARLES DURKEE, Governor.

Mr. Rockwood presented the following report of the Territorial Road Commissioner, which was read, and,

On motion of Mr. West, was referred to the committee on roads, bridges and ferries.

TERRITORIAL ROAD COMMISSIONER'S OFFICE,
Salt Lake City, Feb. 3d, 1868.

To the Hon. the Legislative Assembly of the Territory of Utah:

Gentlemen:—I have the honor to present a report of the receipts and disbursements of "Salt Lake City and Wanship Wagon road," from December 1st, 1866, to Jan. 31, 1868.

The receipts from toll during that period was..................	$14103 20
Amount disbursed for labor, toll keepers, etc..............	24784 59
Leaving a balance due the Superintendent of....................	10681 39

as per the following monthly statement:

Date.		Monthly Receipts.	Total Receipts and Balance.	Total Disbursements.
1866.	December.	959 81		2053 86
1867.	January.	1838 52		1628 58
"	February.	542 88		3584 00
"	March.	253 00		1344 87
"	April.	178 20		1364 09
"	May.	453 90		2378 89
"	June.	1023 25		2991 25
"	July.	2036 63		1920 69
"	August.	1817 75		1748 96
"	September.	1718 50		1217 26
"	October.	1805 80		1021 52
"	November.	1061 10		1043 22
"	December.	161 30		1090 13
1868.	January.	263 47	14103 20	1397 27
Balance due J. A. Young, Supt.			10681 39	
			24784 59	24784 59

I respectfully ask that an appropriation of ten thousand six hundred and eighty-one dollars and thirty-nine cents be made by your Honorable Body to cancel the amount expended by the Superintendent on said road.

In my general report of the 25th ult., the amount expended on the bridge across Blacksmith's Fork, on the road between Huntsville and Bear Lake, (four hundred and fifty dollars) was omitted, and I also respectfully ask that an appropriation be made to cancel that amount.

Very respectfully,
THEODORE MCKEAN, Road Commissioner.

The following report was read:

Committee Room, City Hall, Feb. 4th, 1868.

Mr. Speaker and Members:

Gentlemen:—Your committee on municipal corporations, to whom was referred (H. F. No. 15,) "An act incorporating Smithfield, in Cache county," and (H. F. No. 13,) "An act incorporating Morgan City, in Morgan county," and (H. F. No. 14,) "An act incorporating Kaysville City, in Davis county,"

Having considered the bills referred, we recommend the passing of the Smithfield charter, H. F. No. 15. We have amended the first sections of H. F. Nos. 13 and 14, and recommend their passage as amended.

A. P. Rockwood, Chairman.

On motion of Mr. Layton the report was accepted and the bills laid on the table to come up in their order.

Said Bill (H. F. No. 15,) "An act incorporatiug the city of Smithfield in Cache county," was read the second time, and,

On motion of Mr. Rollins, was read the third time by its title.

The title was read, approved, and the bill so passed.

Said bill, (H. F. No. 13,) "An act incorporating Morgan City, in Morgan county," was read the second time, and,

On motion of Mr. Allred, was read the third time by its title.

The title was read, approved, and the bill so passed.

Said bill, (H. F. No. 14,) "An act incorporating Kaysville City in Davis county," was read the second time, and,

On motion of Mr. Maughan, was read the third time by its title.

The title was read, approved, and the bill so passed.

Mr. Allred, chairman of committee on roads, bridges and ferries, to whom was referred a bill for "An act to incorporate the Echo Kanyon Road Company," reported adversely to granting said bill.

On motion of Mr. Evans, the report was received and the committee discharged from the further consideration of the subject.

Mr. Wright reported back a bill for "An act relative to incorporations, for manufacturing and other purposes," and,

On motion of Mr. Evans, one hundred and fifty copies thereof were ordered printed for the use of the Assembly.

The following message was received and read:

Council Chamber, Salt Lake City, Feb. 4, 1868.

Hon. John Taylor, Speaker:

The accompanying bill, (C. F. No. 10,) "An act providing for the organization of bodies corporate and politic, for the establishment of lyceums, libraries, reading rooms and museums, and for improvements in the sciences, arts, literature, professions, trades and agricultural pursuits," has passed the Council, and is respectfully forwarded for the action of your Honorable Body.

Very respectfully,

Geo. A. Smith, President of the Council.

Said bill, (C. F. No. 10,) "An act providing for the organization of bodies corporate and politic; for the establishment of lyceums, libraries, reading rooms, and museums, and for improvements in the sciences, arts, literature, professions, trade and agricultural pursuits," was read, and,

On motion of Mr. Rich, was referred to the committee on private incorporations.

(H. F. No. 12,) "An act amending an act granting to H. S. Alexander the right to establish a toll bridge across Weber river in Summit county," was read the first time.

Mr. Rowberry moved that the committee on elections be instructed to report to this House, at an early day, how many and the kind of officers there is to be elected by the joint vote of the Assembly.

Seconded and carried.

The following message was received from the Council and read:

Council Chamber, Salt Lake City,
February 4, 1868.

Hon. John Taylor, Speaker, etc.

The accompanying bill, "An act to amend an act entitled an act prescribing certain qualifications necessary to enable a person to be eligible to hold office, vote or serve as a juror," having passed the Council, is respectfully forwarded for your concurrence.

Very respectfully, GEO. A. SMITH,
President of the Council.

Said bill, "An act amending an act prescribing certain qualifications necessary to enable a person to be eligible to hold office, vote or serve as a juror," was read the first time, and,

On motion of Mr. Maughan, was read the second time by sections, and,

On motion of Mr. Lyman, was read the third time by its title.

The title was read, approved, and the bill so passed.

Minutes called for, read and accepted.

On motion of Mr. J. F. Smith, House adjourned till 1 p.m. tomorrow.

Benediction by the Chaplain.

WEDNESDAY, FEBRUARY 5, 1868.

COUNCIL.

COUNCIL CHAMBER,
Salt Lake City, Feb. 5, 1868, 1p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Carrington presented a petition from the Chancellor and Regents of the University of the State of Deseret, praying for an appropriation of ten thousand dollars for the use of said University, which was read, and,

On motion of Councilor L. Snow, was referred to the committee on claims and appropriations.

Councilor E. Snow presented a petition from citizens of St. George, Washington county, praying for the passage of an act to incorporate the St. George Gardners Club and Library Association, which was read, and,

On motion of Councilor Carrington, the petition was laid on the table, the passage of an act providing for the organization of bodies corporate, etc., being sufficient legislation on that subject.

Councilor Carrington presented a petition from citizens of Parowan, praying for a new city charter, which was read, and,

On motion of Councilor L. Snow, the petition was granted, and (C. F. No. 12,) "An act incorporating Parowan City, in Iron county," was taken up on its first reading, and,

On motion of Councilor Smoot, was read the second time by sections, and,

On motion of Councilor Carrington, passed its third reading by its title, and sent to the House for their concurrence.

(H. F. No. 14,) "An act incorporating Kaysville City, in Davis county," was taken up on its first reading, and,

On motion of Councilor Carrington, was read the second time, and,

On motion of Councilor Haight, passed its second reading, and,

On motion of Councilor Smoot, was read the third time by its title, and so passed and the House notified accordingly.

Councilor E. Snow presented petitions from citizens of Washington and Kane counties, praying for appropriations for road purposes, which were read, and,

On motion of Councilor E. Snow, were referred to the committee on roads, bridges, etc.

Councilor Haight presented a petition from citizens of Davis county, praying for an appropriation for building bridges, repairing roads, etc., which was read, and,

On motion of Councilor Woodruff, was referred to the committee on roads, bridges, etc.

On motion of Councilor E. Snow, the committee on municipal corporations were instructed to examine the vartous city charters, and bring in a bill, making certain amendments.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 5, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The accompanying bill, (C. F. No. 12,) "An act incorporating Parowan city, in Iron county," has passed the House as amended in section 17. Do you concur in the amendment?

The House has also passed (H. F. No. 16,) "An act in relation to interest," which is respectfully forwarded for your action.

Very respectfully,

JOHN TAYLOR, Speaker.

(C. F. No. 12,) "An act incorporating Parowan city, in Iron county," was read as amended, and,

On motion of Councilor Carrington, the House amendments were not concurred in, and the bill was further amended, and sent to the House for their concurrence in the amendments.

Councilor L. Snow, chairman of the committee on roads, bridges, etc., made the following report:

To the President and Council:

Gentlemen:—Your committee, to whom was referred the petition of citizens of Davis county, asking an appropriation of two thousand dollars to be applied on roads in aforesaid county, beg leave to recommend that the sum of one thousand dollars be included in the general appropriation bill, to be used under the direction of the Territorial Road Commissioner, to improve the road between Farmington and the mouth of Weber cañon.

LORENZO SNOW,
Chairman of Committee on Roads, etc.

Which was read, and,

On motion of Councilor Benson, was referred to the committee on claims and appropriations.

(H. F. No. 16,) "An act in relation to interest," was read the first time, and,

On motion of Councilor Smoot, was read the second time, and,

On motion of Councilor Callister, was referred to the committee on judiciary.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 5, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House concur in your amendment to (C. F. No. 12,) "An act incorporating Parowan city, in Iron county."

Very respectfully,

JOHN TAYLOR, Speaker.

Minutes called for, read and accepted.

On motion of Councilor Haight, Council adjourned till to-morrow 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, Salt Lake City,
February 5, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received from the Council and read, announcing their passage of (H. F. No. 15,) "An act incorporating the City of Smithfield, in Cache county," and, (H. F. No. 13,) "An act incorporating the City of Morgan, in Morgan county."

Mr. J. F. Smith presented petition of D. H. Wells, Mayor, and committee of City Council of Salt Lake city, praying for appropriation for road purposes, which was read, and,

On motion of Mr. J. F. Smith, was referred to the committee on roads, bridges and ferries.

Mr. Giles presented petition of A. Hatch and 165 others, citizens of Wasatch county, praying for an appropriation for road purposes, which was read, and,

On motion of Mr. Cluff, was referred to the committee on roads, bridges and ferries.

Mr. Evans presented petition of W. H. Wind and two hundred and nineteen others, citizens of Utah county, praying for amendments to the estray pound law, which was read, and,

On motion of Mr. Cluff, was referred to the committe on agriculture, trade and manufactures.

Mr. West presented petition of the inhabitants of Plain City, praying for certain taxes of Weber county to be appropriated in repairing the roads, which was read, and,

On motion of Mr. Wright, was referred to the committee on roads, bridges, etc.

Mr. Cluff presented petition of Henry Standish and 40 others, citizens of Salt Lake City, praying for amendments to the Salt Lake City and Wanship Wagon Road Charter, which was read, and,

On motion of Mr. Evans, was referred to the committee on roads, bridges and ferries.

Mr. Rockwood, chairman of committee on municipal corporations, to whom was referred petition of Thomas Woolley, Mayor of Pleasant Grove City, praying for the extension of said city limits, reported adversely to granting said petition.

On motion of Mr. Cluff, the report was received and the committee discharged from the further consideration of the subject.

A message was received from the Council, annonncing their concurrence in (H. F. No. 14,) "An act incorporating Kaysville City, in Davis county,"

A message was received from the Council, announcing their passage of (C. F. No. 12,) "An act incorporating Parowan City, in Iron county," forwarding the same for the action of the House.

Said bill, (C. F. No. 12,) "An act incorporating Parowan City, in Iron county," was read the first time, and,

On motion of Mr. Maughan, was read the second time, and,

On motion of Mr. J. F. Smith, the 17th section thereof was amended, and,

On motion of Mr. Evans, said bill was read the third time by its title.

The title was read, approved, and the bill so passed.

A message was received from the Council, announcing their appointment of Messrs. E. T. Benson, E. Snow and J. A. Young, as a special committee, to act with a like committee from the House, to examine the Auditor's report in relation to delinquent taxes.

On motion of Mr. Rockwood, the special committee of the House were instructed to confer with said committee of the Council.

Business in order taken up.

(H. F. No. 16,) "An act in relation to Interest," was read the first time, and,

On motion of Mr. Wright, was read the second time, and,

On motion of Mr. Evans, was read the third time by its title.

The title was read, approved, and the bill so passed.

(H. F. No. 12,) "An act amending an act, granting to Henry S. Alexander, the right to establish a toll bridge or bridges across Weber river, in Summit county," was read the second time, and,

On motion of Mr. Farr, was laid on the table indefinitely.

A message was received from the Council, and read, announcing their further amendment of (C. F. No. 12,) "An act incorporating Parowan City, in Iron county," which was read, and,

On motion of Mr. Maughan, the House concurred in the Council amendment.

Minutes called for, read and accepted.

On motion of Mr. Rowberry, House adjourned till 1 p.m. tomorrow, 1 p.m.

Benediction by the Chaplain.

—:o:—

THURSDAY, FEBRUARY 6, 1868.

—o—

COUNCIL.

Council Chamber, Salt Lake City,
February 6, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor L. Snow, chairman of the committee or roads, bridges, etc., made the following report:

To the President and Council:

Gentlemen:—Your committee on roads, bridges, etc., to whom was referred the petition of citizens of Beaver county, asking for an appropriation to build a bridge and establish a Territorial road, beg leave to report adversely to making said road a Territorial road at present, but recommend that seven hundred dollars be included in the general appropriation bill for erecting a bridge over the Beaver river near Minersville, under the direction of the county court of Beaver county. LORENZO SNOW, Chairman.

Which was read, and,

On motion of Councilor Benson, the report was accepted, and the committee on claims and appropriations instructed accordingly.

Councilor Woodruff, chairman of the committee on agriculture, trade, etc, made the following report:

To the Hon. President and Members of the Council:

Gentlemen:—Your committee on agriculture, trade, etc., to whom was referred the petition of Thomas J. McCulloch and 44 other citizens of Utah county, asking that precinct poundkeepers be authorized to sell estray stock, respectfully report adversely to granting the prayer of the petitioners, believing that the evils sought to be remedied, can be reached in a better way.

Feb. 6, '68. W. WOODRUFF, Chairman.

Which was read, and,

On motion of Councilor Benson, the report was accepted, and the committee discharged from further consideration of the subject.

(H. F. No. 7,) "An act incorporating Cedar City Library Associaton," was taken up on its first reading, and,

On motion of Councilor Carrington, was sent to the House, not concurred in.

Councilor Carrington, chairman of the committee on judiciary, made the following report:

Council Chamber, Feb. 6, 1868.

To the President and Members of the Council:

Gentlemen:—Your committee on judiciary, to whom was referred (H. F. No. 16,) "An act in relation to interest," report said act amended, and recommend that it pass as amended.

ALBERT CARRINGTON, Chairman.

Which was read, and,

On motion of Councilor Haight, the report was accepted, and (H. F. No. 16,) "An act in relation to interest," was read the first time as amended, and,

On motion of Councilor Benson, was read the second time, and,

On motion of Councilor Woodruff, the bill passed its third reading, and sent to the House for their concurrence in the amendments.

Councilor Smoot, chairman of the committee on municipal corporations, made the following report:

To the Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—Your committee, to whom was referred the reviewing of the charters of the several cities in the Territory of Utah, etc., report such amendments to the same as might be deemed necessary, would beg leave to report that they have had the subject under consideration, and herewith report a bill to amend said charters.

A. O. SMOOT, Chairman.

Council Chamber, Salt Lake City, Feb. 6, '68.

Which was read, and,

(C. F. No. 13,) "An act amending the charters of the incorporated cities in the Territory of Utah," was taken up on its first reading, and,

On motion of Councilor Hyde, was read the second time, and,

On motion of Councilor Carrington, the bill passed its third reading, and was sent to the House for their concurrence.

The following communication was received and read:

Representatives' Hall, Salt Lake City, Feb. 6, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council.

Gentlemen:—The accompanying bill, (H. F. No. 17,) "An act incorporating the city of Ephraim, in Sanpete county," has passed the House, and is respectfully forwarded for the action of your Honorable Body.

The House concur in your amendment to (H. F. No. 16,) "An act in relation to interest."

Very respectfully,
JOHN TAYLOR, Speaker.

(H. F. No. 17,) "An act incorporating the city of Ephraim, in Sanpete county, was taken up on its first reading, and,

On motion of Councilor L. Snow, was read the second time, and,

On motion of Councilor Hyde, was read the third time by its title, and so passed and sent to the House, concurred in.

Minutes called for, read and accepted.

On motion of Councilor L. Snow, the Council adjourned till Tuesday, Feb. 11, 8 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
Salt Lake City, Feb. 6, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Thurber, chairman of committee on revenue, to whom was referred the motion of Mr. Rockwood, with instructions to inquire if the Secretary of the Territory had paid anything for printing the present revised laws, reported there had been no payments made.

On motion of Mr. Rowberry, the report was received, and the committee discharged from the further consideration of the subject.

Mr. Taylor presented a bill, entitled "An act incorporating the city of Ephraim, in Sanpete county," which was read, and,

On motion of Mr. Rockwood, said bill was referred to the committee on municipal corporations.

A message was received from the Council and read, announcing their non-concurrence in (H. F. No. 7,) "An act incorporating Cedar City Library Association."

Mr. Rowberry moved that a committee be appointed to act with a like committee from the Council, to examine the Territorial Treasurer's books, and destroy the redeemed Auditor's warrants.

Seconded and carried.

The Speaker appointed Messrs. Farr, Rockwood and Rowberry said committee.

Mr. Rockwood presented the following, which was read:

SALT LAKE CITY, Dec. 31, 1867.

Lieut. General Daniel H. Wells, in acct. with
Terrritorial Appropriation for Adjt. General's Office, U. T.

1867.			DR.	CR.
Jan. 1.	Balance on hand as per acct. rendered,		$629 54	
Dec. 31.				
	Paid Carl Larson, for services as clerk in Adjt. General's Office 4⅔ months,			$466 67
	Paid John R. Winder, for services as clerk in Adjt. General's Office, 5½ months,			550 00
	Paid Assist. Adjt. Gen. T. W. Ellerbeck, on account of services in Adjt. General's Office,			300 00
	Paid Theo. McKean for groceries, etc., sent with expedition to Sanpete for suppression of Indian hostilities, as per voucher,	$517 62		
	Paid R. T. Burton, for hardware, vinegar, etc., for said expedition, as per vouchers,	168 68		
	Paid Globe Bakery acct. Nauvoo Legion,	10 20		
	Paid for horse shoes for said expedition, as per voucher,	65 00		
	Paid for drugs, for said expedition, as per voucher,	6 00		
	Paid Kimball & Lawrence, for hardware for said expedition, as per voucher,	30 00		797 50
	Paid for harness, for the Ordnance,			100 00
	Paid for flat cap and folio post, $5 75 $8 00 for blanks,	$8 00		21 75
	Paid for wash stand for office,			16 00
	Paid for copying press for table for office,			18 00
	Paid for coal, $12 50 $18 75,			31 25

Paid Deseret News Office, for ruling and printing morning reports,..................		111 00
Paid for tumbler, $1 00, oil table cloth, $7 50, wash bowl and pitcher, $7 00, postage, $1 52,............		17 02
Rent of office, 12 months,..........................		240 00
To received appropriation for 1867,...................,	2000 00	
Balance due Lieut Gen. D. H. Wells,.................	39 65	
	$2869 19	$2869 19
Balance due Lieut. Gen. D. H. Wells,..................		$39 65

Adjutant General's Office, Feb. 6, 1868.

Hon. Legislative Assembly of the Territory of Utah:

Gentlemen:—The sum of $797 50 paid, as shown in the foregoing account, for certain supplies sent with the expedition to Sanpete last summer, was, perhaps, not fully authorized by the terms of the appropriation act, but, finding it impossible to purchase those supplies other than by prompt payment, in consequence of similar supplies obtained in 1866 remaining unpaid, and the requirements of the service being urgent, I authorized the payment out of the foregoing appropriation, which I trust will be satisfactory.

An appropriation of three thousand dollars, is solicited for the current year.

Accompanying this communication is a petition from Hon. Edward Hunter, requesting an appropriation of ten thousand dollars, on account of the large quantities of supplies of all kinds furnished by him to the militia engaged in the suppression of Indian hostilities during the last three years. It is recommended that such an appropriation be made, as his accounts for such supplies exceed many times the sum asked for. All of which is respectfully submitted.

DANIEL H. WELLS,
Lieut. Gen'l. Nauvoo Legion.

T. W. ELLERBECK, Assist. Adjt. Gen'l.

Petition of Edward Hunter for relief was also read, and,

On motion of Mr. Rockwood, the Lieut. Gen's report and said petition were referred to the committee on claims and appropriations.

Mr. Rockwood, chairman of the committee on municipal corporations, reported back (H. F. No. 17,) "An act incorporating the city of Ephraim, in Sanpete county," with amendments and recommend its passage.

Said bill, (H. F. No. 17,) "An act incorporating the City of Ephraim, in Sanpete county," was taken up on its second reading, and,

On motion of Mr. Evans, said bill was read the third time by its title.

The title was read, approved, and the bill so passed.

A message was received from the Council, and read, announcing their passage of (H. F. No. 16,) "An act in relation to Interest," with amendments.

On motion of Mr. Pratt, the House concurred in the Council amendments to said bill.

Minutes called for, read and accepted.

On motion of Mr. Smith, the House adjourned till Tuesday, the 11th inst., at 3 p.m.

Benediction by the Chaplain.

——:o:——

TUESDAY, FEBRUARY 11, 1868.

——o——

COUNCIL.

COUNCIL CHAMBER,
Salt Lake City, Feb. 11, 1868, 3 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

EXECUTIVE OFFICE, Utah Territory,
Salt Lake City, Feb. 5th, 1868.

Hon. G. A. SMITH, President of the Council.

Sir:—I have this day approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act amending an act prescribing certain qualifications, necessary to enable a person to be eligible to hold office, vote or serve as a juror."

CHARLES DURKEE, Governor.

Councilor Carrington, chairman of the committee on judiciary, made the following report:

Council Chamber, Feb. 11, 1868.

To the President and Council:

Gentlemen:—Your committee on judiciary, to whom was referred (C. F. No. 8,) "An act concerning coroners," herewith return said act with a substitute therefor, and recommend that the substituted act pass.

ALBERT CARRINGTON, Chairman.

Which was read, and,

On motion of Councilor Callister, the report was accepted and the bill laid on the table to come up its order.

Councilor Carrington introduced (C. F. No. 14,) "An act concerning libel," which was read, and,

On motion of Councilor Young, passed its first reading and was laid on the table to come up in its order.

Councilor Carrington introduced (C. F. No. 15,) "An act authorizing the Governor to appoint commissioners to take acknowledgement of deeds or other contracts, and affidavits and depositions in the States and other Territories of the United States," which was read, and,

On motion of Councilor Haight, passed its first reading, and laid on the table to come up in its order.

Minutes called for, read and accepted.

On motion of Councilor Haight, Council adjourned till to-morrow 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
Salt Lake City, Feb. 11, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Wright presented petition of Christopher Layton, asking the Territory to reimburse him for expenses incurred in building the Kaysville wagon road, which was read, and,

On motion of Mr. Rockwood, referred to the committee on roads, bridges and ferries.

Mr. Rockwood presented memorial from the officers of the 3d regiment of infantry, 1st brigade, Nauvoo Legion, for an appropriation of military fines assessed against the members of the regiment who were delinquent at the District Muster, 1867, which was read, and,

On motion of Mr. Rich, was referred to the committee on militia.

Mr. Giles asked for, and obtained leave to withdraw the petition of Abraham Hatch and others, for an appropriation to aid in the construction of roads in Wasatch county.

Mr. Allred, chairman of committee on roads, bridges, etc., to whom was referred the petition of the inhabitants of Plain City, praying for an appropriation for road purposes, reported adversely to granting said petition.

On motion of Mr. Rockwood, the report was accepted and the committee discharged from the further consideration of the subject.

A message was received from the Council, announcing their passage of (H. F. No. 17,) "An act incorporating the City of Ephraim, in Sanpete county.

The following was received and read:

Executive Office, Utah, Salt Lake City,
Febuary 6th, 1868.

Hon. John Taylor, Speaker of the House:

Sir:—I have approved, signed and deposited in the office of the

Secretary of the Territory, a bill for "An act incorporating Smithfield City, in Cache county," also a bill for "An act incorporating Richmond City, in Cache county."

CHARLES DURKEE, Governor.

A message was received from the Council, announcing their passage of (C. F. No. 13,) "An act amending the charters of the incorporated cities in the Territory of Utah," and forward the same for the action of the House.

Said bill, (C. F. No. 13,) "An act amending the charters of the incorporated cities in the Territory of Utah," was read the first time, and,

On motion of Mr. Farr, was read the second time, and,

On motion of Mr. Maughan, was referred to the committee on municipal corporations with instructions.

Business in order taken up.

(H. F. No. 1,) "An act relative to incorporations and for manufacturing and other purposes," was read the first time.

Minutes called for, read and accepted.

On motion of Mr. Rich, House adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

WEDNESDAY, FEBRUARY 12, 1868.

COUNCIL.

COUNCIL CHAMBER,
Salt Lake City, Feb. 12, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor E. Snow presented (C. F. No. 16,) "An act amending an act in relation to marks and brands," and,

On motion of Councilor E. Snow, the bill was laid on the table to come up in its order.

Councilor Harrington requested to withdraw the petition presented by him from Arza Adams and others, praying for the division of Utah county, and,

On motion of Councilor Carrington, the request was granted.

Substitute for (C. F. No. 3,) "An act creating the office of coroner and prescribing his duties, and certain duties of justices of the peace, and regulating the manner of holding inquests upon the dead bodies of such persons only, as are supposed to have died by unlawful means," was read, and,

On motion of Councilor Smoot, passed its first reading, and,

On motion of Councilor E. Snow, was read the second time by sections, and,

On motion of Councilor Woodruff, was read the third time by its title, and so passed and sent to the House for their concurrence.

The following communication was received and read:

Representatives' Hall Salt Lake City, Feb 12, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The accompanying bill, (H. F, No. 18,) "An act incorporating Cedar city, in Iron county," has passed the House, and is respectfully forwarded for the action of your Honorable Body.

Very respectfully,

JOHN TAYLOR, Speaker.

(C. F. No. 14') "An act concerning libel," was taken up on its second reading, and,

On motion of Councilor Carrington, passed its second reading, and,

On motion of Councilor Woodruff, was read the third time by its title, and so passed, and sent to the House for their concurrence.

(C. F. No. 15,) "An act authorizing the Governor to appoint commissioners to take acknowledgement of deeds or other contracts, and affidavits and depositions in the States and other Territories of the United States," was taken up on its second reading, and,

On motion of Councilor Carrington, passed its second reading, and,

On motion of Councilor Benson, was read the third time by its title, and so passed and sent to the House for their concurrence.

(C. F. No. 16,) "An act amending an act in relation to marks and brands," approved Jan. 13, 1866, was read the first time, and,

On motion of Councilor Callister, passed to its second reading, and,

On motion of Councilor Carrington, the bill was referred back to the originator for reconstruction.

(H. F. No. 18,) "An act incorporating Cedar city, in Iron county," was read the first time, and,

On motion of Councilor Carrington, was read the second time, and,

On motion of Councilor Smoot, was read the third time by its title, and so passed, and the House notified accordingly.

Minutes called for, read and accepted.

On motion of Councilor Woodruff, the Council adjourned till to-morrow 1 p.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
Salt Lake City, Feb. 12, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. S. S. Smith presented petition of the inhabitants of Cedar City, with accompanying bill, praying for a new city charter.

Said bill, (H. F. No. 18,) "An act incorporating Cedar City, in Iron county," was read the first time, and,

On motion of Mr. Lyman, was read the second time, and amended, and,

On motion of Mr. West, was read the third time by its title.

The title was read, approved, and the bill so passed.

Mr. Allred, chairman of the committee on roads, etc., to whom was referred the petition of A. Gardner, asking for an appropriation for labor done on Jordan Mill bridge, reported that after careful examination of the claims of the petitioner, find that a large amount of means has been expended, and, although it has been done without authority, leaving the petitioner without legal claim upon the Territory, yet, your committee recommend that the committee on claims and appropriations be instructed to incorporate the sum of $850 for the relief of A. Gardner.

On motion of Mr. Rich, the report was accepted, and the committee on claims and appropriations instructed accordingly.

Mr. Allred, chairman of committee on roads, bridges, etc., to whom was referred the petition of James Liethead and 100 others, praying for an appropriation to assist in opening a new road to the Muddy, learning that the Council committee on roads, etc., have recommended an appropriation on the road leading to that point, reported further legislation thereon unnecessary at present.

On motion of Mr. Reese, the report was received and the committee discharged from the further consideration of the subject.

Mr. Young, chairman of the committee on militia, to whom was referred petition of officers of the 3d regiment of infantry, praying for the privilege of collecting and using for the benefit of said regiment, fines imposed by District Court-martial, reported that in their opinion it would be inexpedient to legislate on that subject at present.

On motion of Mr. Wright, the report was received and the committee discharged from the further consideration of the subject.

Mr. Young moved that the House go into committee of the whole at 1 p.m. to-morrow, to consider the propriety of levying a tax of one half of one per cent. on the property of the inhabitants of the

Territory, to reimburse sundry persons for damages sustained and expenses accrued consequent upon Indian hostilities.

Mr. Cluff moved that the committee on roads, bridges and ferries be instructed to take into consideration the propriety of amending the charter establishing a Territorial road from Salt Lake City to Wanship, in Summit county, so as to dispense with two of the present gates; also make the road free to the traveling public from the 1st of December to the first of May in each year.

Minutes called for, read and accepted.

On motion of Mr. West, the House adjourned till 1 p.m. to-morrow.

Benediction by the Chaplain.

—:o:—

THURSDAY, FEBRUARY 13, 1868.

—o—

COUNCIL.

COUNCIL CHAMBER, Salt Lake City,
February 13, 1868, 1 p.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor E. Snow reported back (C. F. No. 16,) "An act amending an act in relation to marks and brands," approved Jan. 13, 1866, which was taken up on its second reading, and,

On motion of Councilor Benson, passed its second reading, and,

On motion of Councilor Haight, was read the third time by its title, and so passed and sent to the House for their concurrence.

The following communication was received and read:

Provo City, Feb. 11, 1868.

To the Honorable the Legislative
Assembly of the Territory of Utah:

Gentlemen:—Circumstances beyond my control and other public duties that require my attention compel me to respectfully tender my resignation of the office of Probate Judge in Utah county, which I trust you will accept, to take effect so soon as my successor is elected and qualified.

Your acceptance of this my resignation as aforesaid, will confer a favor upon your obedient servant,

GEO. W. BEAN.

On motion of Councilor Benson, said communication was referred to the committee on elections, with instructions to report thereon in joint session.

Councilor L. Snow, chairman of the committee on roads, bridges, etc, made the following report:

To the President and Council:

Gentlemen:—Your committee, to whom was referred the petition of citizens of Gunnison, asking for an appropriation for a bridge, beg leave to report that they deem it unadvisable, at this session, to grant the wishes of said petitioners.

LORENZO SNOW,
Chairman of Committee on Roads, etc.

Which was read, and,

On motion of Councilor Benson, the report was accepted, and the committee discharged from the further consideration of the subject.

Minutes called for, read and accepted.

On motion of Councilor Hyde, Council adjourned till to-morrow 10 a.m.

Benediction by the Chaplain.

:o:

HOUSE.

REPRESENTATIVES' HALL,
Salt Lake City, Feb. 13, 1866.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The hour having arrived for the House to go into committee on the whole, pursuant to the motion of Mr. Young yesterday,

The Speaker appointed Hon. C. C. Rich, chairman. No objections being made, Mr. Rich took the chair and the House went into committee of the whole.

The committee of the whole arose, when Mr. Rich, chairman thereof, reported that the subject of assessing a tax to pay for Indian spoliations and reimburse sundry persons for expenses incurred contingent upon the same had been discussed, but no definite action agreed upon.

Mr. Evans asked, and obtained leave to withdraw the petition of citizens of Utah county, for the division of the same.

Mr. Thurber asked, and obtained leave to withdraw petition of citizens of Utah county, for the division of the same.

Minutes called for, read and accepted.

On motion of Mr. J. F. Smith, House adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

———:o:———

FRIDAY, FEBRUARY 14, 1868.

———o———

COUNCIL.

———

COUNCIL CHAMBER,
Salt Lake City, Feb. 14, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

The following communication was received and read:

Adjutant General's Office, U. T.,
Salt Lake City, Feb. 13, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council.

Gentlemen:—Enclosed please find account of the Deseret Telegraph Company for the use of the telegraph line for military purposes up to date, amounting to $857 12, for which an appropriation is asked for said Company.

Respectfully,
DANIEL H. WELLS.

Utah Territorial Military Account,
To Deseret Telegraph Company,

1867.	DR.	CR.
To transmitting messages to and from Salt Lake,..	$129 55	
" " " " Provo,..	109 15	
" " " " Payson,	23 90	
" " " " Nephi,..	55 70	
" " " Fountain Green,	29 20	
" " " Mount Pleasant,	138 90	
" " " Manti,...............	304 37	
" " " Gunnison,.........	42 00	
" " " St. George,........	24 35	
		$857 12

On motion of Councilor Benson, said communication was referred to the committee on claims and appropriations.

The following communication was received and read:

EXECUTIVE OFFICE, Utah Territory,
Salt Lake City, Feb. 13th, 1868.

Hon. G. A. SMITH, President of the Council.

Sir:—I have this day approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act incorating Parowan city, in Iron county.".

Very respectfully,
CHARLES DURKEE, Governor.

Councilor Smoot presented (C. F. No. 17,) "A resolution authorizing the re-location of the Territorial road leading from Pleasant Grove city, through the city of Provo, in Utah county," which was read, and,

On motion of Councilor L. Snow, passed its first reading, and,

On motion of Councilor Woodruff, passed its second reading, and,

On motion of Councilor Benson, was read the third time by its title, and so passed and sent to the House for their concurrence.

Councilor L. Snow moved that six thousand dollars be included in the general appropriation bill, to be applied in building a bridge over Provo river, under the direction of the Territorial Road Commissioner, conditioned that Utah county conjointly with Provo city, pay to the acceptance of the Road Commissioner, for this purpose, three thousand dollars, to be applied by him toward building said bridge.

Seconded and carried.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 14, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

The accompanying bill, (H. F. No. 19,) "An act incorporating Franklin city, in Cache county," has passed the House, and is respectfully forwarded for the action of your Honorable Body.

Very respectfully,
JOHN TAYLOR, Speaker.

On motion of Councilor Harrington, (H. F. No. 19,) "An act incorporating Franklin city, in Cache county," passed its first reading, and,

On motion of Councilor Benson, passed its second reading, and,

On motion of Councilor L. Snow, was read the third time by its title, and so passed and sent to the House concurred in.

Minutes called for, read and accepted.

On motion of Councilor Haight, the Council adjourned till tomorrow 10 a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, Salt Lake City,—
February 14, 1868.

House met pursuant to adjournment.
Roll called. Quorum present.
Prayer by the Chaplain.

A message was received from the Council, announcing their passage of (C. F. No. 14,) "An act concerning libel," also (C. F. No. 3,) "An act creating the office of Coroner, and prescribing his duties and certain duties of Justices of the Peace, and regulating the manner of holding inquests upon the dead bodies of such persons only as are supposed to have died by unlawful means," and (C. F. No. 15,) "An act authorizing the Governor to appoint commissioners to take acknowledgements of deeds or other contracts, and affidavits, and depositions in the States and other Territories of the United States," forwarding the same for the action of the House.

Said bill, (C. F. No. 14,) "An act concerning libel," was read the first time.

Said bill, (C. F. No. 3,) "An act creating the office of Coroner, and prescribing his duties and certain duties of Justices of the Peace, and regulating the manner of holding inquests upon the dead bodies of such persons only as are supposed to have died by unlawful means," was read the first time.

Said bill, (C. F. No. 15,) "An act authorizing the Governor to appoint commissioners to take acknowledgements of deeds or other contracts and affidavits, and depositions in the States and other Territories of the United States," was read the first time.

A message was received from the Council, and read, announcing their passage of (C. F. No. 16,) "An act amending an act in relation to marks and brands, approved Jan. 13, 1866."

Said bill, (C. F. No. 16,) "An act amending an act, in relation to marks and brands, approved Jan. 13, 1866," was read the first time.

A message was received from the Council, announcing their concurrence in (H. F. No. 18,) "An act incorporating Cedar City, in Iron county."

The following was received and read:

Executive Office, Utah,
Salt Lake City, Feb. 13, 1868.

Hon. John Taylor, Speaker of the
House of Representatives:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act incorporating Kaysville City, in Davis county," also a bill entitled "An act incorporating Morgan City, in Morgan county."

Very respectfully,

CHARLES DURKEE, Governor.

Mr. Maughan presented a bill for "An act incorporating Franklin City, in Cache county," which was read the first time, and,

On motion of Mr. Wright, passed to its second reading by sections, and,

On motion of Mr. J. F. Smith, was read the third time by its title.

The title was read, approved and the bill so passed, and was sent to the Council for concurrence.

Mr. Allred, chairman of com. on roads, etc., to whom was referred the petition of the City Council of Salt Lake City, praying for an appropriation of $4,000, to be expended under the direction of the Territorial Road Commissioner on Territorial roads in Salt Lake county, recommended in his report that the committee on claims and appropriations be instructed to incorporate the amount of $2,000 in the Territorial appropriation bill for that purpose.

On motion of Mr. Maughan, the report was received and the committee on claims and appropriations instructed accordingly; said amount to be expended on the Territorial roads within the limits of Salt Lake City.

Mr. Pace, chairman of the committee on counties, to whom was referred the petition of W. G. Smith, of Morgan county, and 91 others, citizens, praying for a change of the county seat from Littleton, to Morgan City, in Morgan county, reported back said petition with accompanying bill, for "An act changing the county seat of Morgan county," and recommended its passage.

Said bill, "An act changing the county seat of Morgan county," was read the first time, and,

On motion of Mr. Cluff, the report was received and the bill passed to its second reading, and,

On motion of Mr. Rockwood, was read the third time by its title.

The title was read, approved, and the bill so passed.

Mr. Reese presented "An act defining the time of commencing civil actions," which was read the first time, and

On motion of Mr. Rowberry, was referred to the committee on judiciary, and ordered printed.

A message was received from the Council, announcing their concurrence in (H. F. No. 19,) "An act incorporating Franklin City, in Cache county," also their passage of (C. F. No. 17,) resolution authorizing the re-location of the Territorial road leading from Pleasant Grove City, through the City of Provo, in Utah county, forwarding the same for the action of the House.

Mr. Rich, chairman of the committee on claims and appropriations, to whom was referred the petition of Lieut.-Gen. D. H. Wells, recommended that the sum of $3,000 be placed on the appropriation bill.

On motion of Mr. Thurber, the report was accepted and the committee instructed accordingly.

Mr. Rich, chairman of the committee on claims and appropriations, to whom was referred the petition of Edward Hunter, recommended that the sum of $10,000 be placed on the appropriation bill.

On motion of Mr. Lyman, the report was accepted and the committee instructed accordingly.

Mr. West moved that the petition of the inhabitants of Plain City be again returned to the committee on roads, bridges and ferries, for further consideration.

Seconded and carried.

Mr. Pace, chairman of the committee on counties, to whom was referred the petition of citizens of Utah County, praying for the division of said county, in compliance with leave granted Messrs. Thurber and Evans to withdraw said petitions, returned the same to the table.

Minutes called for, read and accepted.

On motion of Mr. Evans, the House adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

:o:

SATURDAY, FEBRUARY 15, 1868.

COUNCIL.

Council Chamber,
Salt Lake City, Feb. 15, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Carrington presented the following report:

To the Hon. the Legislative Assembly:

Gentlemen:—I beg leave to present the following statement in regard to expenditures in printing marks and brands during the year 1867:

Amount appropriated for printing brands Jan. 18, 1867, was..	$350 00
Unexpended of previous appropriation as per Auditor's report, Nov. 1867,..........................	23 00
Total,..	$373 00

Paid Deseret News Office bill for printing and advertising,	$356 83	
Paid Emma Kelly for folding brand sheets,	5 00	361 83
Balance unexpended,		$11 17

There is one sheet of four pages recently issued which is not yet paid for, and which is not included in the above statement. I estimate that an appropriation of at least three hundred dollars will be required to pay for the printing of marks and brands for the year 1868.

Very respectfully,

WM. CLAYTON,
Recorder of Marks and Brands.

Salt Lake City, Feb. 14th, 1868.

Which was read, and,

On motion of Councilor Carrington, was referred to the committee on claims and appropriations.

Councilor Carrington presented the following report:

To the Hon. the Legislative Assembly of Utah Territory:

Gentlemen:—I beg leave respectfully to present to your Honorable Body a bill of estimated amount of stationery which will be required for the use of the Auditor's office for the year 1868, to wit:

One ream of lettter paper,	$10 00
Four reams of note paper, @ $8 00,	32 00
One half ream of legal cap, @ 12 00,	6 00
Letter and official envelopes,	12 00
Two bottles Arnold's fluid,	5 00
One gross steel pens,	2 50
One bottle carmine,	2 00
One bottle French copying ink,	3 50
	$73 00
To which add postage for the year 1867,	23 65
	$96 55

I would also beg leave to call your attention to the following named sums, for which Auditor's warrants have been drawn in excess of appropriations, it being necessary at the time for the public service, and I respectfully ask appropriation therefor:

For extra stationery purchased for the use of the Auditor's office,	$26 50
Paid Daily Telegraph Office for blank receipt book,	15 00
Paid board of prisoners before 3d District court,	63 00

I also beg leave to present accompanying bill of $23 00 for printing blank Auditor's warrants and circular to assessors and collectors by Deseret News Office, and respectfully ask appropriation therefor:

Utah Territory, per Wm. Clayton,
To Deseret News Office,

1867.—		
Jan. 24.	To paper, printing and binding two Treasury order books	$17 00
	To printing 200 copies on acct.	6 00
		$23 00

It may be proper to remark that the efforts of the undersigned to collect in the delinquent taxes from all the counties of the Territory has necessarily created a vast amount of extra correspondence, and consequent increase of postage. Very much has yet to be done before the tax account with the several counties will be brought to a satisfactory condition, but is earnestly hoped this will be accomplished before another meeting of your Honorable Body.

The item of $63 00 for board of prisoners before the 3d District Court, will doubtless be fully reported by the Marshal.

Very respectfully, your obedient servant,

WM. CLAYTON,
Auditor of Public Accounts.

Salt Lake City, Feb. 13th, 1868.

Which was read, and,

On motion of Councilor Carrington, was referred to the committee on claims and appropriations.

Councilor Carrington presented the following communication:

To the Hon. the Legislative Assembly:

Gentlemen:—In the appropriation bill of Jan. 18, 1867, an appropriation of one thousand dollars was made "to liquidate delinquent taxes of Washington county for the years 1865-6 upon the Territorial road from St. George to Millersburg;" also, delinquent taxes of Washington and Kane counties amounting to fifteen hundred dollars to be expended on the roads from South Ash creek coal bed by Tokerville to Kane county.

On the 1st inst. a report was received from the county clerk of Washington county, advising that the citizens of said county have expended one thousand dollars on the road from St George to Millersburg, and asking for the necessary vouchers to apply to the credit of said county for the one thousand dollars appropriation to liquidate delinquent taxes of Washington county as provided in the appropriation bill. The necessary credits were made in the books of this office, and vouchers for same forwarded to the county clerk.

I regret that up to this date no report has been received from the road commissioner of Washington county in regard to the expenditure of fifteen hundred dollars by the citizens of Washington and Kane counties on the road from South Ash creek coal bed to Kane county. Doubtless the report will be forwarded ere long, but possibly not before the adjournment of the present Assembly. I therefore consider it proper to lay before your Honorable Body the following approximate statement of how the account will appear after the $1500 is credited:

Delinquent tax of Washington county for 1856,......	$75 62	
" " " for 1862, corrected,..	493 49	
" " " " 1863, "	387 25	
" " " " 1866,	375 97	
Delinquent tax of Kane county, for 1865,..............	324 75	
" " " " 1866,..............	500 93	
Add Judge Winsor's order in favor R. Bentley, paid,....................................	26 50	2174 57
Appropriated for Washington and Kane counties,		2500 00
Leaves unabsorbed of appropriations,..................		$315 49

Inasmuch as the appropriations named were designed only to absorb the delinquent taxes of those counties up to the year 1866, if the remaining three hundred and fifteen dollars and forty-nine cents should apply for the benefit of either Washington or Kane counties on the taxes due for the year 1867, some action of your Honorable Body will be required before credit can be given exceeding the amount of delinquent taxes to the close of 1866.

The corrections mentioned in reference to Washington county, refer to remittances by the county court reported during the year 1867.

Very respectfuly, your obt. servt.,

Wm. Clayton, Auditor.

Salt Lake City, Feb. 15, 1868.

Which was read, and,

On motion of Councilor Carrington, was referred to the special committee on delinquent taxes.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 15, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The accompanying bill, (H. F. No. 20,) "An act changing the county seat of Morgan county," hasp assed the House, and is respectfully forwarded for the action of your Honorable Body.

Very respectfully,

John Taylor, Speaker.

On motion of Councilor Carrington, (H. F. No. 20,) "An act changing the county seat of Morgan county," passed its first reading, and,

On motion of Councilor Harrington, passed its second reading, and,

On motion of Councilor Callister, was read the third time by its title, and so passed and sent to the House, concurred in.

Councilor Harrington moved that a committee be appointed, to act with a like committee of the House of Representatives, to examine the Auditor's books and accounts; also, the Treasurer's books and redeemed Auditor's warrants, and if found correct, to cause said Auditor's warrants to be destroyed. Seconded and carried.

The President appointed Councilor L. E. Harrington said committee.

Councilor Benson moved that the sum of five hundred dollars be included in the general appropriation bill, to re-locate and work the road between Dog Valley and Cove Creek, in the southern part of Millard county, under the direction of Thomas Callister. Seconded and carried.

The following communication was received and read:

Representatives' Hall, Salt Lake City, Feb. 15, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The House has passed (C. F. No. 15,) "An act authorizing the Governor to appoint commissioners to take acknowledgement of deeds or other contracts, and affidavits and depositions in the States and other Territories in the United States," which is returned for engrossing.

Very respectfully,
JOHN TAYLOR, Speaker.

Councilor Hyde, chairman of the special committee to whom was referred the report of the Territorial Road Commissioner, made the following report:

Council Chamber, Salt Lake City,
Feb. 15, 1868.

To the President and Members of the Council:

Gentlemen:—The two committees to whom the report of the Territorial Road Commissioner was referred, beg leave to recommend that the sum of $1495 15 be inserted in the Territorial appropriation bill to defray the expense incurred over and above the amount appropriated by the Legislative Assembly, to build a bridge across Ogden river, in Weber county; also the sum of $244 52 to defray the expense incurred over and above the amount appropriated in favor of Bear Lake road, in Beaver cañon and on Dry dugway, the sum of $376 25 incurred above the amounts appropriated to be expended on Jordan bridge and the State road running west from Salt Lake City, and the sum of $290 00 expended on Sevier bridge, which was considerably damaged by high water, and $1200 00 to A. Gardner in part payment of his claims for building the bridge across Jordan.

ORSON HYDE,
LORENZO SNOW, } Chairmen.

Which was read, and,

On motion of Councilor Smoot, was referred to the committee on claims and appropriations, with instructions to incorporate the same in the general appropriation bill.

Minutes called for, read and accepted.

On motion of Councilor Benson, the Council adjourned till Monday, 10 a.m.

Benediction by the Chaplain.

HOUSE.

Representatives' Hall,
Salt Lake City, Feb. 15, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by Mr. Rich.

Mr. Thurber presented petition of members of Brigade Courts Martial of 2d Brigade, 2d Division, N. L., in relation to using fines assessed for regimental, brigade and division purposes.

Which was read, and,

On motion of Mr. Allred, was referred to the committee on militia.

Mr. Giles presented petition of Abraham Hatch and 156 others, citizens of Wasatch Co., praying for an appropriation for road purposes, which was read, and,

On motion of Mr. Cluff, was referred to the committee on roads, bridges and ferries.

Mr. Taylor presented "An Act amending an act concerning animals running at large," which was read the first time, and,

On motion of Mr. Rowberry, was referred to the committee on trade, manufacture, etc.

Mr. Rowberry moved that the committee on claims and appropriations be instructed to incorporate in the Territorial appropriation bill the sum of three thousand ($3,000) dollars, to be expended under the direction of the Territorial Road Commissioner, for the improvement of the Territorial road running west from Jordan bridge, to a point known as Kesler's Tavern, on said road, in Salt Lake County, and,

On motion of Mr. Maughan, was referred to the committee on roads, bridges and ferries.

Mr. Wright presented "An act repealing an act, entitled an act incorporating the Kaysville wagon road company, which was read, and,

On motion of Mr. Farr, was referred to the committee on roads, bridges and ferries.

The following was received and read:

REPORT
OF THE
COMMITTEE on AGRICULTURE, TRADE, Etc.

—o—

Committee Room, Feb. 15, 1868.

To the Hon. Speaker and Members of the
House of Representatives:

Gentlemen:—Your committee, to whom was referred the motion of Mr. Thurber to enquire of the several county courts, so far as practicable, the number of estray cattle that have been impounded during the years 1866-7; also, how many been sold, and for what amount; how many have been claimed and taken out, and at what cost to the owners; and how much has been paid or stands to the credit of the School Fund, beg leave to report that they have been diligent in their duties, and are only able to report in part, as they have not got a full response to their inquiries of the said County Courts.

Name of County.	Impounded	Claimed	Average Cost to Owners per head	No. Sold	Amt. sold for	School Fund
Utah	447	169	$ 6 00	378	$ 9199	$1017 78
Juab	562	260	5 00	310	4822	1911 00
Sanpete	178	8	6 00	176	2767	1331 48
Millard	360	280	6 50	160	3000	1000 00
Beaver	70	8	5 68	62	1670	971 00
Weber	100	20	3 33	70	1900	187 20
Cache	482	360	2 00	82	1474	73 25
Iron	166	63	7 00	105	1452	39 50
Summit	119	63	4 57	40	864	50 50
Total	2431	1847	44 03	1387	26246	6581 71

AVERAGE PER HEAD PAID INTO SCHOOL FUND.

Utah County..................	$ 2 70	Weber County..................	$ 2 60
Juab "	6 00	Cache "	00 81
Sanpete "	8 00	Iron "	00 46
Millard "	6 30	Summit "	1 26
Beaver "	15 00		

ENOCH REESE,
Chairman of Committee on Trade, Agriculture, etc.

Mr. Thurber moved that 500 copies of the report be printed and the committee on agriculture, trade and manufacture be instructed to bring in a bill repealing the law regulating estray pounds and for other purposes, approved Jan. 17th, 1866.

Seconded and carried.

A message was received from the Council, announcing their concurrence in (H. F. No. 20,) "An act changing the county seat of Morgan county," and that Councilor Harrington had been appointed a committee to act with a like committee from the House, to examine the Auditor's and Treasurer's books and accounts, and to destroy the redeemed Auditor's Warrants.

Mr. Rockwood moved that the committee on education be instructed to bring in a bill further defining the duties of Territorial and County Superintendents of schools.

Seconded and carried.

(C. F. No. 15,) "An act authorizing the Governor to appoint commissioners to take acknowledgement of deeds or other contracts and affidavits and depositions in the States and other Territories of the United States," was taken up on its second reading, and,

On motion of Mr. Rich, was read the third time by its title.

The title was read, approved, and the bill so passed.

Minutes called for, read and accepted.

On motion of Mr. Reese, the House adjourned till 6 p.m. this evening.

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6 p.m.

The House resumed its session.

Roll called. Quorum present.

(H. F. No. 1,) "An act relating to incorporations for manufacturing and other purposes," was taken up on its second reading, pending which,

On motion of Mr. Rich, was referred to the committee on judiciary.

Mr. Rich presented petition of W. S. Godbe, in relation to the bridge across Bear river, in Box Elder county, asking the extension of his charter for said bridge, two years, which was read, and,

On motion of Mr. Rollins, was referred to the committee on roads, bridges and ferries.

(C. F. No. 14,) "An act concerning libel," was taken up on its second reading, pending which,

On motion of Mr. Maughan, seventy-five copies thereof were ordered printed.

(C. F. No. 14,) "An act creating the office of Coroner, and prescribing his duties and certain duties of Justices of the Peace, and regulating the manner of holding inquests upon the dead bodies of such persons only, as are supposed to have died by unlawful means," was read the second time, amended, and,

On motion of Mr. Pratt, was read the third time by its title.

The title was read, and,

On motion of Mr. Farr, was amended so as to read, "An act concerning coroners and coroner's inquests," and so passed.

(C. F. No. 16,) "An act amending an act in relation to marks and brands, approved Jan. 13, 1866," passed to its second reading, and,

On motion of Mr. Wright, was not concurred in.

Minutes called for, read and accepted.

On motion of Mr. West, the House adjourned till 10 a.m. Monday.

Benediction by the Chaplain.

MONDAY, FEBRUARY 17, 1868.

—o—

COUNCIL.

Council Chamber, Salt Lake City,
February 17, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor Hyde presented the following motion:

In consideration of the services of Col. R. N. Allred, of Springtown, in the county of Sanpete, for the last three years, in suppressing Indian hostilities, to the great neglect of his own business, I move that the sum of one thousand dollars be inserted in the general appropriation bill for his relief, compensating him in part for his continued services during the before mentioned term.

Which was read, and,

On motion of Councilor Callister, was referred to the committee on claims and appropriations.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 17, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House have passed (C. F. No. 3,) "An act creating the office of coroner and prescribing his duties, and certain duties of justices of the peace, and regulating the manner of holding inquests upon the dead bodies of such persons only, as are supposed to have died by unlawful means," with amendments. Do you concur?

(C. F. No. 16,) "An act in relation to marks and brands," is returned not concurred in.

Very respectfully,
John Taylor, Speaker.

Councilor Hyde presented (C. F. Fo. 18,) "An act incorporating Mount Pleasant, in Sanpete county," which was read, and,

On motion of Councilor Callister, passed its first reading, and laid on the table to come up in its order.

(C. F. No. 3,) "An act concerning coroners, etc." was taken up as amended by the House, and the amendments concurred in, and the bill was further amended in the title, and returned to the House for their concurrence in the amendments.

Councilor Smoot presented the following report:

Council Chamber, Feb. 17, 1868.

Hon Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—Your committee, to whom was referred the drafting of a law, pursuant to an act of Congress passed March 2, 1867, providing for the sale of town sites on the public lands of the United States, would beg leave to report the accompanying bill.

A. O. SMOOT, Chairman.

Which was read, and,

On motion of Councilor Benson, the report was accepted, and (C. F. No. 19,) "An act prescribing rules and regulations for the execution of the trust arising under the act of Congress entitled 'An act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," was taken up on its first reading.

On motion of Councilor Harrington, passed its first reading, and,

On motion of Councilor Benson, one hundred copies thereof were ordered printed.

The following communications were received and read:

Representatives' Hall, Salt Lake City,
Feb. 17, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The House do not concur in (C. F. No. 14,) "An act concerning libel."

Very respectfully,
JOHN TAYLOR, Speaker.

Representatives' Hall, Salt Lake City, Feb. 17, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The House has passed (C. F. No. 17,) "A resolution authorizing the re-location of the Territorial road, leading from Pleasant Grove city through the city of Provo, in Utah county," and (H. F. No. 21,) "An act defining the time of commencing civil actions." The latter is respectfully forwarded for the action of your Honorable Body.

Very respectfully,
JOHN TAYLOR, Speaker.

(C. F. No. 18,) "An act incorporating Mount Pleasant, in Sanpete county," was taken up on its second reading, and,

On motion of Councilor Callister, passed its second reading, and,

On motion of Councilor Hyde, was read the third time by its title, and so passed and sent to the House for their concurrence.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 17, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House concur in your amendment to the title of (C. F. No. 3,) "An act concerning coroners, etc."

The House has passed (H. F. No. 24,) "An act repealing an act entitled an act regulating estray pounds and for other purposes," which is respectfully forwarded for your action.

Very respectfully,
JOHN TAYLOR, Speaker.

Minutes called for, read and accepted.

On motion of Councillor Benson, the Council adjourned till to-morrow 10 a.m.

Benediction by the Chaplain.

—:o:—

HOUSE.

REPRESENTATIVES' HALL, Salt Lake City,
February 17, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

(C. F. 17,) A resolution authorizing the re-location of the Territorial road leading from Pleasant Grove city, through the City of Provo, in Utah county, was read the first time, and,

On motion of Mr. Thurber, was read the second time, and,

On motion of Mr. Cluff, was read the third time by its title.

The title was read, approved, and the bill so passed.

(H. F. No. 21,) "An act defining the time of commencing civil actions," was read the second time, amended, and,

On motion of Mr. West, was read the third time by its title.

The title was read, approved, and the bill so passed.

(C. F. No. 14,) "An act concerning libel," passed to its second reading, pending which,

On motion of Mr. Wright, the House did not concur in the passage thereof.

A message was received from the Council, announcing their concurrence in the House amendments to (C. F. No. 3,) "An act concerning Coroners, etc.," with the title further amended and forwarded for the action of the House.

Said bill, (C. F. No. 3,) "An act concerning Coroners, Justices of the Peace, and Inquests, was read, and,

On motion of Mr. Maughan, the House concurred in the Council's amendment to the title.

Mr. Reese, chairman of committee on agriculture, trade etc., reported a bill for "An act repealing an act entitled an act regulating estray pounds, and for other purposes," and recommended its passage.

Said bill, an act repealing an act entitled an act regulating estray pounds, and for other purposes, was read the first time, and,

On motion of Mr. Thurber, was read the second time, and,

On motion of Mr. Evans, was read the third time by its title.

The title was read, approved, and the bill so passed.

The following was received and read:

Committee Room, Feb. 17, 1868.

To the Hon. Speaker and Members of the
House of Representatives:

Gentlemen:—Your committee on roads, bridges, ferries and cañons, to whom was referred the report of the Territorial Road Commissioner, relative to the Territorial road from Salt Lake City to Wanship, Summit county, also a petition from the citizens of Summit and Salt Lake counties, also the motion of Mr. Cluff and other items, in relation to said road, have attended to the duties assigned them, and respectfully report that we have examined the acts and books of the Superintendent, and find that there is outstanding debts against several individuals, amounting in the aggregate to $508 85, a portion of which is considered unavailable. There are several toll houses, tools and other property belonging to the road. The road has been completed according to the provisions of the act, with the exception of about three miles. The amount expended on the road in excess of the tolls collected, is $10,681 39, as per Commissioner's report, which sum we recommend that the committee on claims and appropriations be instructed to insert in the appropriation bill, to be drawn on the order of the Territorial Road Commissioner.

We herewith submit a bill for an act entitled an act amendatory and supplementary to an act entitled an act establishing a Territorial road from Salt Lake City to Wanship, Summit county, and recommend its passage.

R. N. ALLRED,
Chairman of committee on roads, etc.

On motion of Mr. Rich, the report was received and the bill laid on the table to come up in its order.

The following was received and read:

Mr. Speaker and Members of the House of Reprepresentatives:

Gentlemen:—Your committee to whom was referred petition of Cols. McLellan, Bromley, and others, praying that the Militia Law of the Territory be amended to read as follows: All fines assessed by courts martial shall be, when collected, placed in the hands of the Quartermaster of the dept. ordering said court, to be expended under the direction of his commander, in defraying the expenses of Courts Martial for furnishing books, stationery, etc., also to purchase colors and musical instruments for Division Brigade and

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 17, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House concur in your amendment to the title of (C. F. No. 3,) "An act concerning coroners, etc."

The House has passed (H. F. No. 24,) "An act repealing an act entitled an act regulating estray pounds and for other purposes," which is respectfully forwarded for your action.

Very respectfully,
JOHN TAYLOR, Speaker.

Minutes called for, read and accepted.

On motion of Councillor Benson, the Council adjourned till to-morrow 10 a.m.

Benediction by the Chaplain.

—:o:—

HOUSE.

REPRESENTATIVES' HALL, Salt Lake City,
February 17, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

(C. F. 17,) A resolution authorizing the re-location of the Territorial road leading from Pleasant Grove city, through the City of Provo, in Utah county, was read the first time, and,

On motion of Mr. Thurber, was read the second time, and,

On motion of Mr. Cluff, was read the third time by its title.

The title was read, approved, and the bill so passed.

(H. F. No. 21,) "An act defining the time of commencing civil actions," was read the second time, amended, and,

On motion of Mr. West, was read the third time by its title.

The title was read, approved, and the bill so passed.

(C. F. No. 14,) "An act concerning libel," passed to its second reading, pending which,

On motion of Mr. Wright, the House did not concur in the passage thereof.

A message was received from the Council, announcing their concurrence in the House amendments to (C. F. No. 3,) "An act concerning Coroners, etc.," with the title further amended and forwarded for the action of the House.

Said bill, (C. F. No. 3,) "An act concerning Coroners, Jnstices of the Peace, and Inquests, was read, and,

On motion of Mr. Maughan, the House concurred in the Council's amendment to the title.

Mr. Reese, chairman of committee on agriculture, trade etc., reported a bill for "An act repealing an act entitled an act regulating estray pounds, and for other purposes," and recommended its passage.

Said bill, an act repealing an act entitled an act regulating estray pounds, and for other purposes, was read the first time, and,

On motion of Mr. Thurber, was read the second time, and,

On motion of Mr. Evans, was read the third time by its title.

The title was read, approved, and the bill so passed.

The following was received and read:

Committee Room, Feb. 17, 1868.

To the Hon. Speaker and Members of the
House of Representatives:

Gentlemen:—Your committee on roads, bridges, ferries and cañons, to whom was referred the report of the Territorial Road Commissioner, relative to the Territorial road from Salt Lake City to Wanship, Summit county, also a petition from the citizens of Summit and Salt Lake counties, also the motion of Mr. Cluff and other items, in relation to said road, have attended to the duties assigned them, and respectfully report that we have examined the acts and books of the Superintendent, and find that there is outstanding debts against several individuals, amounting in the aggregate to $508 85, a portion of which is considered unavailable. There are several toll houses, tools and other property belonging to the road. The road has been completed according to the provisions of the act, with the exception of about three miles. The amount expended on the road in excess of the tolls collected, is $10,681 39, as per Commissioner's report, which sum we recommend that the committee on claims and appropriations be instructed to insert in the appropriation bill, to be drawn on the order of the Territorial Road Commissioner.

We herewith submit a bill for an act entitled an act amendatory and supplementary to an act entitled an act establishing a Territorial road from Salt Lake City to Wanship, Summit county, and recommend its passage.

R. N. ALLRED,
Chairman of committee on roads, etc.

On motion of Mr. Rich, the report was received and the bill laid on the table to come up in its order.

The following was received and read:

Mr. Speaker and Members of the House of Reprepresentatives:

Gentlemen:—Your committee to whom was referred petition of Cols. McLellan, Bromley, and others, praying that the Militia Law of the Territory be amended to read as follows: All fines assessed by courts martial shall be, when collected, placed in the hands of the Quartermaster of the dept. ordering said court, to be expended under the direction of his commander, in defraying the expenses of Courts Martial for furnishing books, stationery, etc., also to purchase colors and musical instruments for Division Brigade and regimental purposes, respectfully recommend that their petition be granted and the law so amended.

BRIGHAM YOUNG, JR., Chairman.

On motion of Mr. Rockwood, the report was received and the committee on militia instructed accordingly.

Minutes called for, read and accepted.

On motion of Mr. Maughan, House adjourned till 10 a.m. to-morrow.

Benediction by the Chaplain.

TUESDAY, FEBRUARY 18, 1868.

COUNCIL.

COUNCIL CHAMBER,
Salt Lake City, Feb. 18, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor L. Snow, chairman of the committee on roads, bridges, etc., made the following report:

To the President and Council:

Gentlemen:—Your committee on roads, bridges and cañons, beg leave to report in reference to the petition of citizens of Washington county, asking for ten thousand dollars for road purposes, that we deem it inexpedient, in view of our present finances, to legislate upon the subject this session.

LORENZO SNOW, Chairman.

Which was read, and,

On motion of Councilor Benson, the report was accepted, and the committee discharged from the further consideration of the subject.

Councilor Benson, chairman of the committee on counties, made the following report:

Committee Room, Feb. 18, 1868.

Mr. President and Members of the Council:

The committee on counties, to whom was referred the petition of William Price and others, to detach Goshen precinct from Utah county, and attach the same to Juab county, respectfully report that, after due consideration, they deem it inexpedient to legislate thereon.

E. T. BENSON,
Chairman of the Committee on Counties.

Which was read, and,

On motion of Councilor Carrington, the report was accepted, and the committee discharged from further consideration of the subject.

(H. F. No. 21,) "An act defining the time of commencing civil actions," was taken up on its first reading, and,

On motion of Councilor Carrington, the bill was laid on the table till called for.

(C. F. No. 19,) "An act prescribing rules and regulations for the execution of the trust arising under the act of Congress, entitled 'An act for the relief of the inhabitants of cities and towns upon the public lands,' approved March 2, 1867," was taken up on its second reading, by sections, pending which,

On motion of Councilor Smoot, the Council went into a committee of the whole, with Councilor Haight in the chair, for the consideration of said bill, pending which,

On motion of Councilor Benson, the committee arose.

Councilor Haight, chairman of the committee of the whole, made the following report:

Mr. President and Gentlemen of the Council:

The committee of the whole have had under consideration (C. F. No. 19,) "An act prescribing rules and regulations for the execution of the trust arising under the act of Congress, entitled 'An act for the relief of the inhabitants of cities and towns upon the public lands, and recommend the passage of the same with amendments.

The bill was again taken up, and,

On motion of Councilor Hyde, was referred back to the committee for further consideration, Councilors E. Snow and Carrington being added to said committee,

The following communication was received and read:

Representatives' Hall Salt Lake City, Feb 18, 1868.

Hon. George A. Smith, President, and
Members of the Council:

(C. F. No. 18,) "An act incorporating Mount Pleasant, in Sanpete county," has been amended, and is herewith respectfully returned for the action of your Honorable Body.

Very respectfully,
JOHN TAYLOR, Speaker.

(C. F. No. 18,) "An act incorporating Mount Pleasant, in Sanpete county, was taken up and read as amended, and,

On motion of Councilor Hyde, the amendments concurred in.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 18, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The accompanying bill, (H. F. No. 25,) "An act amendatory and supplementary to an act entitled an act establishing a Territorial road from Salt Lake City to Wanship, in Summit county, approved Jan. 19, 1866," has passed the House, and is respectfully forwarded for your action.

Very respectfully,
JOHN TAYLOR, Speaker.

(H. F. No. 25,) "An act amendatory and supplementary to an act entitled an act establishing a Territorial road from Salt Lake City to Wanship, in Summit county, approved Jan. 19, 1866," was taken up on its first reading, and,

On motion of Councilor Smoot, passed its first reading, and,

On motion of Councilor E. Snow, was referred to the committee on roads, bridges, etc.

The following communication was received and read:

Representatives' Hall, Salt Lake City, Feb. 18, 1868.

Hon. George A Smith, President, and
Members of the Council:

Gentlemen:—The accompanying bill, (H. F. No. 27,) "An act regulating the terms of the Supreme and District courts in Utah Territory," has this day passed the House, and is respectfully forwarded for the action of your Honorable Body.

Very respectfully,
JOHN TAYLOR, Speaker.

(H. F. No. 27,) "An act regulating the term of the Supreme and District courts in Utah Territory," was taken up on its first reading, and,

On motion of Councilor Woodruff, passed its first reading, and,

On motion of Councilor Woodruff, was referred to the committee on judiciary.

Minutes called for, read and accepted.

On motion of Councilor Hyde, the Council adjourned till tomorrow 10 a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL,
Salt Lake City, Feb. 18, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented account of Theodore McKean, Territorial Road Commissioner, for services for the year 1867, which was read, and,

On motion of Mr. Rowberry, the committee on claims and appropriations were instructed to insert the amount of $517 50 for his benefit, in the Territorial appropriation bill.

Mr. Midgley presented a bill for "an act defining the eastern boundary of Juab county," which was read, and,

On motion of Mr. Rockwood, was referred to the committee on counties.

A message was received from the Council, announcing their passage of (C. F. No. 18,) "An act incorporating Mount Pleasant, in Sanpete county," and forwarding the same for the action of the House.

Said bill, (C. F. No. 18,) "An act incorporating Mount Pleasant, in Sanpete county," was read the first time, and,

On motion of Mr. Wright, was read the second time and amended, and,

On motion of Mr. Allred, was read the third time by its title.

The title was read, approved, and the bill so passed.

Mr. J. F. Smith, presented "An act regulating the terms of the Supreme and District Courts in Utah Territory," which was read the first time, and,

On motion of Mr. Reese, was read the second time, and,

On motion of Mr. West, was read the third time by its title.

The tittle was read, approved and the bill so passed.

The following was received and read:

Committee Room, Feb. 17.

Hon. John Taylor, Speaker, etc.

Gentlemen:—Your committee, to whom was referred the petition of Abraham Hatch and one hundred and fifty-five others, asking for one thousand dollars to aid in the construction of a road up the Provo Cañon, to intersect with the Wasatch Wagon road, in compliance with the the request of the above named petitioners, your committee recommend that the committee on appropriations be instructed to place in the Territorial appropriation bill the sum of one thousand dollars for the above named purpose; also in consideration of a movement made by Mr. Rowberry, before this House, Feb. 15, your committee recommend that the committee on claims and apropriations be instructed to place in the Territorial appropriation bill the sum of two thonsand dollars, to be expended for the improvement of the Territorial road running west from the Jordan bridge, to a point known as Kesler's tavern, on said road, in Salt Lake county.

R. N. ALLRED,
Chairman of committee on roads, etc.

(H. F. No. 25,) "An act amendatory and supplementary to an act entitled an act establishing a Territorial road from Salt Lake City, to Wanship, Summit county," approved Jan. 19, 1866, was taken up on its second reading, and,

On motion of Mr. Reese, was read the third time by its title.

The title was read, approved, and the bill so passed.

Mr. Reese presented "An act to amend an act to incorporate irrigation companies," which was read the first time, and,

On motion of Mr. Rowberry, was referred to the committee of irrigation.

Mr. Young, chairman of committee on militia, who were instructed to bring in a bill amendatory to the militia law of the Territory of Utah, reported "An act amendatory of a system of regulations for the present organization and government of the militia of the Territory of Utah," which was read, and,

On motion of Mr. Rowberry, was laid on the table to come up in its order.

Mr. Rockwood moved that the committee on claims and appropriations be instructed to insert in the Territorial appropriation bill the sum of one thousand dollars, to be drawn on the order of the President and Directors of the Kaysville Wagon Road Company, in full, for all receipts, title and interest said company have in said road: Provided it shall be transferred to the Territory as contemplated in section 4 of said act; said transfer to be received by the Auditor and filed in his office.

Seconded and carried.

Mr Rockwood presented resolution ceding to Salt Lake county a bridge across the Jordan river, which was adopted.

Minutes called for, read and accepted.

On motion of Mr. Taylor, the House adjourned till 10 a.m. to-morrow.

Benediction by Mr. Pratt.

WEDNESDAY, FEBRUARY 19 ,1868.

COUNCIL.

COUNCIL CHAMBER,
Salt Lake City, Feb. 19, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor E. Snow presented a petition from the citizens of Kane and Washington counties, praying for a change of the boundary line of Kane county,

Which was read, and,

On motion of Councilor L. Snow, was referred to the committee on counties.

Councilor E. Snow presented a petition from citizens of Kane and Washington counties, praying for an appropriation of fifteen thousand dollars, to be expended on the road leading from Kanarrah to Harrisburgh, which was read, and,

On motion of E. Snow, was referred to the committee on claims and appropriations.

Councilor Carrington, chairman of the committee on judiciary, made the following report:

Salt Lake City, Feb. 19, 1868.

To the President and Council:

Gentlemen;—Your committee on judiciary, to whom was referred (H. F. No. 27,) "An act regulating the terms of the Supreme and District courts in the Territory of Utah," herewith return said act, and recommend that the Council concur with the House in its passage. ALBERT CARRINGTON, Chairman.

Which was read, and, (H. F. No. 27,) "An act regulating the terms of the Supreme and District courts in the Territory of Utah," was taken up on its second reading, and,

On motion of Councilor Carrington, passed its second reading, and,

On motion of Councilor Smoot, was read the third time by its title and so passed and sent to the House concurred in.

Councilor Smoot, chairman of the committee on municipal corporations, made the following report:

To the President and Members of the Council:

Gentlemen:—Your committee, to whom was referred the petition of Thomas J. McCulloch and 58 others, asking for an extension of the corporate boundaries of the city of Alpine, would report that they deem legislation thereon inexpedient at the present session.

A. O. SMOOT, Chairman.

Council Chamber, S. L. City, Feb. 17, '68.

Which was read, and,

On motion of Councilor Carrington, the report was accepted and the committee discharged from further consideration of the subject.

The following was received and read:

Representatives' Hall, Feb. 19, 1868.

Hon. Geo. A. Smith, President of the Council:

Sir:—The accompanying resolution ceding to Salt Lake County a bridge across Jordan river, has been adopted by the House and is respectfully forwarded for the action of your Honorable Body.

Very respectfully,

JOHN TAYLOR, Speaker.

House resolution ceding to Salt Lake county a bridge across Jordan river was taken up, and,

On motion of Councilor Woodruff, said resolution was not concurred in, and the House notified accordingly.

Councilor Carrington presented (C. F. No. 20,) "A repealing act," which was read, and,

On motion of Councilor Carrington passed its first reading, and,

On motion of Councilor Young, passed its second reading, and,

On motion of Councilor Carrington, was read the third time by its title and so passed and sent to the House for their concurrence.

Councilor Carrington presented a "Memorial to Congress for an appropriation to pay for certain public printing," which was read, and,

On motion of Councilor Benson, was adopted and sent to the House for their concurrence.

Councilor Carrington presented bills for the relief of Patrick Lynch, Clerk 3d District Court, and John D. T. McAllister Territorial Marshal, which were read and laid on the table.

Councilor L. Snow, chairman of the committee on roads, bridges, etc., made the following report:

To the President and Members of the Council:

Gentlemen:—Your committee, to whom has been referred petition of citizens of Utah county, asking for an appropriation of two thousand dollars, to build a bridge north of Lehi, over Jordan river, respectfully represent that we deem it inexpedient to grant the request of said petitioner at this time.

LORENZO SNOW, Chairman.

Which was read, and,

On motion of Councilor Hyde, the report was accepted and the committee discharged from further consideration of the subject.

Councilor Smoot, chairman of the committee, to whom was referred (C. F. No. 19,) made the following report:

Committee Room, Feb. 19, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council.

Gentlemen:—Your committee to whom was referred the bill regulating the sale of town sites in the Territory of Utah, would beg leave to report the same back with certain amendments.

A. O. SMOOT, Chairman.

Which was read, and,

On motion of Councilor Young, the report was accepted, and the bill taken up on its second reading by sections, as amended, and further amended.

Pending the reading of the bill, the Council took a recess.

4 p. m., Council resumed its session.

The following communication was received and read:

Executive Office. Utah, Salt Lake City,
February 18th, 1868.

Hon. George A. Smith,
President of the Council:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled, "An act authorizing the Government to appoint Commissioners to take acknowledgement of deeds or other contracts, and affidavits and depositions in States and other Territories of the United States." Also a resolution authorizing the re-location of the Territorial road, leading from Pleasant Grove City, through the City of Provo, in Utah county.

Very Respectfully,
CHARLES DURKEE, Governor.

The following communication was received and read:

REPRESENTATIVES' HALL, Salt Lake City,
February 19, 1868.

Hon George A. Smith President and
Members of the Counil:

Gentlemen.—The accompanying bill (H. F. No. 26,) "An act defining the eastern boundary of Juab County," has passed the House and is forwarded for the action of your honorable body.

Very Rerpectfully,
JOHN TAYLOR, Speaker

The following communication was received and read:

REPRESENTATIVES' HALL,
Salt Lake City, Feb. 15, 1868.

To the Hon. President and Members of the Council:

Gentlemen:—The House has passed (C. F. No. 20,) "A repealing act." The House has also adopted "Memorial to Congress for an appropriation to pay for certain public printing."

Very Respectfully,
JOHN TAYLOR, Speaker.

(C. F. No. 19,) was again taken up on its second reading, and,

On motion of Councilor Woodruff, was referred back to the committee.

(C. F. No. 21,) "An act amending and suplementary to the charter of St. George City," was taken up on its first reading, and

On motion of Councilor Carrington passed its first reading and,

On motion of Councilor Benson was read the second time, by sections, and,

On motion of Councilor Callister, passed its second reading, and,

On motion of Councilor Woodruff, was read the third time by its title, and so passed and sent to the House for their concurrence.

Councilor Benson presented (C. F. No. 22,) "An act concerning libel," which was laid on the table to come up in its order.

(H. F. No. 26,) "An act defining the eastern boundery of Juab county," was taken up on its first reading, and,

On motion of Councilor Benson, passed its first reading, and,

On motien of Councilor Carrington, passed its second reading with amendments, and,

On motion of Councilor Callister, was read the the third time by its title, and, so passed as amended and sent to the House for their concurrence in the amendments.

(C. F. No. 22.) "An act concerning libel," was taken up on its first reading, and,

On motion of Councilor Young, passed its first reading, and,

On motion of Councilor Smoot, was read the second time, by sections, and,

On motion of Councilor Benson, passed its second reading: and,

On motion of Councilor Woodruff, was read the third time by its title, and so passed, and sent to the House for their concurrence.

Councilor Carrington presented (C. F. No. 23.) "An act to amend an act creating the office of Selectmen and prescribing their duties; also the duties of County courts" was taken up on its first reading, and,

On motion of Councilor Callister, passd its first reading, and,

On motion of Councilor Woodruff, passed its second reading, and,

On motion of Councilor Benson, was read the third time by its title and so passed, and sent to the House for their concurrence.

Councilor Benson, chairman of the committee on counties, made the following report:

Committee Room, Salt Lake City,
February 19, 1868.

Your committee, to whom was referred a petition from citizens of Kane and Washington counties changing the boundary line of Kane county, beg leave to report that it is not expedient to legislate upon this subject, it being so near the end of the session.

E. T. Benson,
Chairman committee on Counties.

Which was read, and,

On motion of Councilor Carrington, the report was accepted and the committee discharged from further consideration of the subject.

Councilor Carrington presented a bill for the relief of Salt Lake county for rent of Court House for 3d District Court, which was read, and,

On motion Councilor Carrington, was referred to the committee on claims and appropriations, also the bills of Patrick Lynch and J. D. T. McAllister, were referred to the same committee.

(H. F. No. 21.) "An act defining the time of commencing civil actions," was taken up on its second reading and amended, and,

On motion of Councilor Carrington, passed its second reading as amended, and,

On motion of Councilor Woodruff, was read the third time by its title and so passed as amended and sent to the House for their concurrence in the amendments.

Minutes called for, read and accepted.

On motion of Councilor L. Snow, the Council adjourned till tomorrow, 10 a.m.

Benediction by the Chaplain.

——:o:——

HOUSE.

REPRESENTATIVES' HALL,
Salt Lake City, Feb. 19, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented petition of Auditor of Public Accounts asking for an appropriation for iron safe, which was read, and,

On motion of Mr. West, was referred to the committee on claims and appropriations, with instructions.

A message was received from the Council, announcing their concurrence in House amendment to (C. F. No. 18,) "An act incorporating Mount Pleasant, in Sanpete county."

The following report was received and read:

Committee Room, Salt Lake City, Feb. 18, 1868.

To the Members of the Legislative Assembly:

Your committee, to whom was referred the report of the Auditor of Public Accounts, in relation to the delinquent territorial taxes, also the petitions of certain collectors, would represent that we have met in joint session and have given the subject due consideration and would respectfully ask leave to make the following report, also would recommend the passage of the accompanying resolutions.

1st. In the case of B. K. Bullock, assessor and collector for Utah county during the years of 1857-8. The Auditor of Public Accounts is allowed the further time of one year to make a final settlement.

2d. Geo. W. Bean, for Utah county for 1864-5, remitted... $ 264 11

3d. Thomas E. Ricks, Cache county, for 1860-1-2-3-4-5-6, remitted, in consequence of difference in price of wheat received at $5 and sold at $2 per bushel, the sum of...... 2077 75
also remitted by county court.. 1167 75
Total... 3242 75

4th. Andrew J. Blodget, of Tooele county for 1856-7, remitted.. 121 92

5th. W. Lee, of Tooele county, for 1859, remitted............ 21 40

6th. Reddin A. Allred, for Tooele county, his account is left discretionary with the Auditor, to settle according to the facts in the premises.

7th. David Candland, of Sanpete county, for 1863-4, remitted as specified in delinquent list.............................. 543 61

8th. John Boyden, of Morgan county, remitted, as specified in delinquent list, for 1865,.. 117 60

9th. Richard Benson, Iron county, for 1863, remitted...... 42 91

10th. Rich county recommend that the Auditor of Public Accounts be authorized to credit the assessor and collector on the tax of 1867... 297 00
it being the amount due said county as per Auditor's report, also recommend the ballance of the tax due for the year of 1867, of... 163 37
to be applied on the Bear Lake and Huntsville road.

11th. W. G. Baker, of Sevier county, remitted balance of delinquent tax as per Auditor's books.

12th. Piute county. Recommend that the Auditor be authorised to settle with the Piute assessor and collector in accordanee with the facts in the premises.

The aforesaid amounts should, in the opinion of your committee be remitted for the following reasons, to wit: In many instances the delinquencies have accrued in consequence of Indian difficulties, causing the breaking up of settlements, and the inhabitants dispersed into other parts of the Territory, thereby rendering it very difficult to collect the taxes. For these and other reasons, some of which are specified above, we deem it no more than just that the above amounts be remitted.

In those cases made discretionary with the Auditor of Public Accounts, your committee was unable to obtain the necessary information to warrant their final adjustmet.

Very respectfully,

E. T. BENSON, } In behalf of Special
LORIN FARR, } Committee.

Said resolution for remittances and appropriations of delinquent taxes was read, and,

On motion of Mr. Rockwood, the report was received and the resolution laid on the table to come up in its order.

Mr. Allred, chairman of committee on roads, etc., to whom was referred the proposal of A. Gardner to build a bridge across Provo river, reported adversely thereto.

On motion of Mr. Evans, the report was received and the committee discharged from the further consideration of the subject.

Mr. Allred, chairman of committee on roads, etc., to whom was referred petition of W. S. Godbe, praying for an extension of his charter, reported inexpedient to legislate thereon.

On motion of Mr. Wright, the report was received and the committee discharged from the further consideration of the subject.

The following report was received and read:

Committee Room, S. L. City, Feb. 19, 1868.

To the Hon. Speaker and Members of
the House of Representatives:

Gentlemen:—The committee on education, to whom were referred the motion of Mr. Midgley, in relation to defining by an Act, the meaning of the term Common Schools, and also the motion of Mr. Rockwood, in relation to specifying by an act the further duties of the County and Territorial Superintendents of Common Schools, beg leave to report a bill entitled, "An Act defining the meaning of the term Common Schools, and in relation to the further duties of County and Territorial Superintendents of Common Schools."

ORSON PRATT, SEN.
Chairman of said committee.

Said bill, "An act defining the meaning of the term Common Schools and in relation to the further duties of County and Territorial Superintendent of Common Schools, was read the first time, and,

On motion of Mr. Rowberry, the report was received and the bill laid on the table to come up in order.

Mr. Farr, chairman of committee on judiciary, to whom was referred an act concerning costs and fees of courts, and for other purposes, reported back said bill with accompanying substitute bill, and recommending its passage.

Said substitute bill, (H. F. 32) "An act to amend an act concerning costs and fees of courts, was read the first time, and,

On motion of Mr. Wright, the report of the committee was accepted and the bill passed to its second reading, pending which,

On motion of Mr. Maughan, was laid on the table indefinitely.

A message was received from the Council, announcing their concurrence in (H. F. 27,) "An act regulating terms of the Supreme and District Courts in the Territory of Utah.

Mr. Pace chairman of committee on counties, to whom was referred a bill for an act defining the eastern boundary of Juab county, reported back said bill amended and recommended its passage,

Said bill, (H. F. 26) "An act defining the eastern boundary of Juab county," was read the first time, and,

On motion of Mr. Allred, was read the second time, and,

On motion of Mr. Thurber, was read the third time by its title.

The title was read, approved and the bill so passed.

Minutes called for, read and accepted.

On motion of Mr. Rowberry, House took a recess till 2 p. m.

REPRESENTATIVE'S HALL,
2 p.m., Feb. 19, 1868.

House resumed its session.

The following was received and read:

COUNCIL CHAMBER, Feb. 19, 1868.

Hon. John Taylor, Speaker, etc.

The Council does not concur in House resolution ceding to Salt Lake County a bridge over Jordan river; and have passed C. F. No. 20, a repealing act; and adopted memorial to Congress for an appropriation to pay for certain public printing, which are respectfully forwarded for you action.

Very respectfully,
GEO. A. SMITH, President of Council.

Said bill (C. F. 20) a repealing act, was read the first time, and,

On motion of Mr. Lyman, was read the second time, and,

On motion of Mr. Cluff, was read the third time by its title,

The title was read, approved and the bill so passed.

Said memorial to Congress for an appropriation, to pay for certain public printing was read and unanimously adopted.

The following messages were received and read,

Executive Office, Salt Lake City,
February 14th, 1868.

Hon. John Taylor,
Speaker of the House of Representatives,

Sir—I have this day approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act incorporating the city of Ephraim in San Pete county;" also "An act in relation to Interest."

CHARLES DURKEE, Governor.

Executive Office, Salt Lake City,
February 18, 1868.

Hon. John Taylor,
Speaker of the House of Representatives,

Sir—I have this day approved, signed and deposited in the Office of the Secretary of the Territory, a bill entitled "An act incorporating Cedar City in Iron county."

Very respectfully,
CHARLES DURKEE, Governor.

Mr. Rich moved that the committee on claims and appropriations be instructed to insert in the appropriation bill, the sum of five hundred dollars to be expended on the Huntsville and Bear Lake road.

Seconded and carried.

Mr. Taylor moved that the committee on claims and appropriations be instructed to incorporate the sum of $1000.00 in the Territorial appropriation bill for the relief of Gen. W. B. Pace for services rendered in Sanpete county, during the years 1866 and 1867. Also for services in compiling the Infantry Tactics now in use by the militia of Utah. Also that the committee on claims and appropriations be instructed to incorporate in the Territorial appropriation bill, the sum of $500.00 for the relief of Col. J. L. Ivie for hard service during the last three years for which he has been but very slightly remunerated, and,

On motion of Mr. Rockwood, was referred to the committee on militia.

Mr. Rich, Chairman of committee on claims and appropriations, to whom was referred petition of Wm. Clayton, asking for appropriation for extra services for the year 1867, and also in view of extra services for the year 1868, recommended that the sum of five hundred dollars be placed in the appropriation bill for his benefit.

On motion of Mr. Cluff, the committee on claims and appropriations were instructed accordingly.

Mr. Taylor presented "An act pertaining to damage done by animals," which was read the first time, and,

On motion of Mr. Rowberry, was referred to the committee on agriculture, trade and manufacture.

Mr. West, chairman of committee on irrigation, to whom was referred, "An act to amend an act amendatory to an act to incorporate irrigation companies," reported back said bill and recommended its passage.

Said bill for "An act to amend an act amendatory to an act to incorporate irrigation companies" passed to its second reading, pending which,

On motion of Mr. Rowberry, the bill was laid on the table indefinitely.

(H. F., 31.) "An act defining the meaning of the term 'common schools,' and in relation to the further duties of Territorial and county superintendents of common schools," was taken up on its second reading, pending which,

On motion of Mr. Rockwood, the bill was referred back to the committee with instructions.

Mr. Young, chairman of committee on militia, to whom was referred Mr. Taylor's motion recommending an appropriation for the relief of Gen. W. B. Pace and others who had been actively engaged in the suppression of Indian depredations, deemed it inexpedient to legislate thereon.

On motion of Mr. Thurber, the report was accepted and the committee discharged from the further consideration of the subject.

(H. F. 30.) "An act amendatory to a system of regulations for the present organization and government of the militia of the Territory of Utah," was read the first time, and,

On motion of Mr. Rich, was read the second time, pending which, the bill was laid on the table to come up in its order.

(H. F. 33.) Resolution remitting Territorial taxes, passed to its second reading, pending which,

On motion of Mr. Evans, the House adjourned till 10 a.m. tomorrow.

Benediction by the Chaplain.

THURSDAY, FEBRUARY 20, 1868.

—o—

COUNCIL.

COUNCIL CHAMBER, Salt Lake City
February 20, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councillor Smoot, chairman of the committee to whom was referred (C. F. No. 19,) made the following report:

Hon. Geo. A. Smith, President, and
Members of the Council.

Gentlemen:—Your committee, to whom was referred "An act in relation to the sale of city and town sites on the public lands of the United States, would beg leave to report the same back as amended.

A. O. SMOOT, Chairman.

Council Chamber, S. L. City, Feb. 20, '68.

Which was read, and, (C. F. No. 19,) "An act prescribing rules and regulations for the execution of trust arising under the act of Congress, entitled an act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, was taken up on its second reading as amended, and,

On motion of Council Woodruff, passed its second reading as amended, and,

On motion of Councilor Harrington, was read the third time by its title and so passed, and sent to the House for concurrence.

The following report was received and read:

To His Excellency the Governor and Legislative
Assembly of the Territory of Utah:

Gentlemen:—In compliance with a resolution appointing a military code commission, approved Jan. 18th, 1867, we beg leave to report the accompanying bill for "An act concerning militia," and recommend its passage,

DANIEL H. WELLS,
GEO. A. SMITH,
R. T. BURTON,
WM. B. PACE,
Code Commission.

(C. F. No. 24,) "An act concerning militia," was taken up on its first reading, and,

On motion of Councilor Woodruff, passed its first reading and,

On motion of Councilor Haight, passed its second reading by sections, and, On motion of Councilor Young, was read the third time by its title, and so passed, and sent to the House for their concurrence.

The following was received and read:

Representatives' Hall, Feb. 20, 1868.

Hon. Geo. A. Smith, President of the Council:

The House concur in your amendments to (H. F. No. [illegible],) "An act defining the time of commencing civil actions," also in your amendments to (H. F. No. 23,) "An act defining the eastern boundary of Juab county."

Very respectfully,
JOHN TAYLOR, Speaker.

Councilor Benson, on behalf of the special committee, appointed to examine the Auditor's accounts in relation to delinquent Territorial taxes, made the following report:

Committee Room, Feb. 18, 1868.

To the Members of the Legislative Assembly:

Your committee, to whom was referred the report of the Auditor of Public Accounts, in relation to the delinquent territorial taxes, also the petitions of certain collectors, would represent that we have met in joint session and have given the subject due consideration, and would respectfully ask leave to make the following report, also would recommend the passage of the accompanying resolutions:

1st. In the case of B. K. Bullock, assessor and collector for Utah county, during the years of 1856-7. The Auditor of Public Accounts is allowed the further time of one year to make a final settlement.

2d. Geo. W. Bean, for Utah county, for 1864-5 remitted .... $ 294 11

3d. Thomas E. Ricks, Cache county, for 1860-1-2-3-4-5-6, remitted, in consequence of difference in price of wheat received at $5 and sold at $2 per bushel, the sum of 212 00
also remitted by county court .... [illegible] 75
Total .... [illegible] 75

4th. Andrew J. Blodget, of Tooele county for 1856-7, remitted .... [illegible] 92

5th. W. Lee, of Tooele county, for 1859, remitted 27 30

6th. Reddin A. Allred, for Tooele county, his account is left discretionary with the Auditor, to settle according to the facts in the premises.

7th. David Candland, of Sanpete county, for 1863-4, remitted as specified in delinquent list .... [illegible] 61

8th. John Boyden, of Morgan county, remitted as specified in delinquent list, for 1865 .... 17 60

9th. Richard Benson, Iron county, for 1863, remitted .... [illegible] 91

10th. Rich county recommend that the Auditor of Public Accounts be authorized to credit the assessor and collector on the tax of 1867 .... 223 00
it being the amount due said county as per Auditor's report, also recommend the balance of the tax due for the year of 1867, of 163 37

to be applied on the Bear Lake and Huntsville road.

11th. W. G. Baker, of Sevier county, remitted balance of delinquent tax as per Auditor's books.

12th. Piute county. Recommend that the Auditor be authorized to settle with the Piute assessor and collector in accordance with the facts in the premises.

The aforesaid amounts should, in the opinion of your committee be remitted for the following reasons, to wit: In many instances the delinquencies have accrued in consequence of Indian difficulties, causing the breaking up of settlements, and the inhabitants dispersed into other parts of the Territory, thereby rendering it very difficult to collect the taxes. For these and other reasons, some of which are specified above, we deem it no more than just that the above amounts be remitted.

In those cases made discretionary with the Auditor of Public Accounts, your committee was unable to obtain the necessary information to warrant their final adjustment.

Very respectfully,

E. T. BENSON, } In behalf of Special
LORIN FARR, } Committee.

Which was read, and,

On motion of Councilor Callister, the report was accepted and the committee was discharged from the further consideration of the subject.

The Council took a recess till 2 p.m.

Council Chamber, 2 p.m.

Council resumed its session.

(H. F. No. [illegible],) "An act repealing an act regulating estray pounds and for other purposes," was read, and,

On motion of Councilor E. Snow, was not concurred in, and the House notified accordingly.

Councilor Woodruff, chairman of the joint committee on agriculture, trade, etc., made the following report:

To the Hon. President and Members of the Council:

The committees of both Houses on agriculture, trade, etc., have agreed to report the following bill for "An act amending an act, regulating estray pounds and for other purposes," and respectfully recommend its passage.

Feb. 20, '68.

W. WOODRUFF, Chairman.

Which was read, and the accompanying bill, (C. F. No. 25,) "An act amending an act regulating estray pounds and for other purposes," was taken up on its first reading, and,

On motion of Councilor Smoot, passed its first reading, and,

On motion of Councilor Callister, passed its second reading with amendments, and,

On motion of Councilor Woodruff, was read the third time by its title, and so passed, and sent to the House for their concurrence.

The following communication was received and read:

REPRESENTATIVES' HALL, February 20, 1868.

Hon George A. Smith, President of the Council:

Sir:—The accompanying bill, (H. F. No. 35,) "Territorial Appropriation Bill," has passed the House and is respectfully forwarded for your action.

Very respectfully,

JOHN TAYLOR, Speaker.

The Territorial Appropriation Bill was taken up on its first reading.

Councilor E. Snow, chairman of the committee on claims and appropriations made the following report:

Hon. Geo. A. Smith, and

Members of the Council:

Gentlemen:—Your committee of claims and appropriations to whom was referred petition of citizens of Kane and Washington county asking 15,000 dollars to make a new road between Kanarrah and Harrisburg, representing the old road to be nearly impassable—beg leave to report, that in consideration of the amount of travel upon that road and damage from late floods, they deem it necessary to recommend that the sum of five thousand dollars be appropriated for that purpose.

ERASTUS SNOW, Chairman.

Which was read, and,

On motion of councilor L. Snow, the report was accepted and the amount inserted in the appropriation bill.

The following communication was received and read:

Representatives' Hall, Feb. 20, 1868.

Hon. George A. Smith,

President of the Council:

Sir:—The accompanying bill, (H. F. No. 31,) "An act defining the meaning of the term common schools, and in relation to the further duties of Territorial and County superintendants of common schools," has passed the House and is respectfully forwarded for your action.

Very respectfully,

JOHN TAYLOR, Speaker.

On motion of Councilor Harrington, the sum of one thousand dollars, was ordered to be inserted in Territorial appropriation bill, to build a bridge across the American Fork and improving the road between American Fork and Pleasant Grove, under the direction of the Territorial road commissioner.

The following communication was received and read:

Representatives' Hall, Feb. 20th, 1868.

Hon. Geo. A. Smith, President of the Council, etc.

Sir:—The House have passed, (C. F. No. 24,) "An act concerning militia."

The House do not concur in (C. F. No. 10,) "An act providing for the organization of bodies corporate and politic, and for the establishment of lyceums, &c.

Very Respectfully,

JOHN TAYLOR, Speaker.

On motion of Councilor Johnson, the sum of $829 25 was ordered to be added to the appropriation bill, to pay Deseret News Office, balance due for printing military books.

On motion of Councilor Benson, the Territorial appropriation bill was referred to the committee on claims and appropriations.

Council took a recess till 7 p. m.

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7 p.m.

Council resumed its session.

On motion of Councilor Callister, a committee of conference was appointed to act with a like committee from the House, to reconsider "An act providing for the organization of bodies corporate and politic, for the establishment of lyceums, libraries, reading rooms and museums, and for improvements in the sciences, arts, literature, professions, trades and agricultural pursuits."

The President appointed Councilors Callister, Carrington and Smoot said committee.

The following communication was received and read:

Representatives' Hall, Feb. 20, 1868.

Hon. George A Smith, President, and

Members of the Council:

Sir:—The House do not concur in (C. F. No. 25,) "An act amending an act regulating estray pounds and for other purposes," but have appointed Messrs. Rich, Thurber, Reese and Evans a committee of conference on the part of the House, to reconsider (H. F. No. 24,) "An act repealing an act regulating estray pounds and for other purposes."

Very Respectfully,

JOHN TAYLOR, Speaker.

On motion of Councilor Young, a committee of three was appointed, consisting of Councilors Benson, Carrington and E. Snow, to meet with the House committee to reconsider (H. F. No. 24,) "An act repealing an act regulating estray pounds and for other purposes," also to act with the House committee, to reconsider (C. F. No. 25,) "An act amending an act regulating estray pounds and for other purposes."

The following communication was received and read:

Representatives' Hall, Feb. 20, 1868.

Hon. George A. Smith, President, and

Members of the Council:

Messrs. Wright Farr, Rich and Rockwood have been appointed a committee of conference on the part of the House, to reconsider

(C. F. No. 10,) "An act providing for the organization of bodies corporate and politic, etc."

Very respectfully,
JOHN TAYLOR, Speaker.

The following communication was received and read:

Representatives' Hall Salt Lake City, Feb 20, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

The House has passed (C. F. No. 21,) "An act amendatory and supplementary to the charter of St. George City."

Very respectfully,
JOHN TAYLOR, Speaker.

The following was received and read:

Representatives' Hall, Feb. 20, 1868.

To the President and Members of the Council:

The House do not concur in (C. F. No. 18,) "An act amending the charters of several incorporated cities in the Territory of Utah," and have passed (H. F. No. [illegible],) "An act amending the charters of several cities," which is respectfully forwarded for your action.

Very respectfully,
JOHN TAYLOR, Speaker.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 20, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The House has passed (C. F. No. 22,) "An act concerning libel."

Very respectfully,
JOHN TAYLOR, Speaker.

Councillor E. Snow, chairman of the Committee to whom was referred the Territorial Appropriation bill, reported back the same for the action of the Council.

The Territorial Appropriation bill was taken up, and,

On motion of Councillor L. Snow, passed its first reading, and was read the second time by items and amended, and,

On motion of Councillor Benson, passed its second reading as amended, and,

On motion of Councillor L. Snow, was read the third time by its title, and so passed and sent to the House.

Minutes called for, read and accepted.

On motion of Councillor Benson, the Council adjourned till tomorrow, 10 a.m.

Benediction by the Chaplain.

HOUSE.

REPRESENTATIVES' HALL, Salt Lake City,
February 20, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Mr. Rockwood presented petition of Bryant Stringham and others, in relation to appropriation for conducting the waters of Cañon creek to Jordan river, which was read, and,

On motion of Mr. Rockwood, was referred to the committee on roads, bridges and ferries.

Mr. Rockwood moved that the committee on library be instructed to enquire if a room can be obtained in the City Hall for the purpose of accommodating the books of the library, and if so, the propriety of moving the same from its present situation, to this building. Seconded and carried.

A message was received from the Council announcng their amendment to (H. F. No. 20,) "An act defining the time of commencing civil actions," and their passage of (C. F. No. 23,) "An act to amend an act creating the office of Selectmen, and prescribing their duties, also the duties of the County Courts," forwarding the same for the action of the House.

Said amendment to an act defining the time of commencing civil actions was read, and,

On motion of Mr. Rowberry, the House concurred in the Council's amendment.

Said bill (C. F. 21,) "An act to amend an act creating the office of Selectmen and prescribing their duties, also the duties of the County Courts," was read the first time, and,

On motion of Mr. Rockwood, was laid on the table to come up in its order.

A message was received from the Council announcing their amendment to (H. F. No. 28,) "An act defining the eastern boundary of Juab county," and their passage of (C. F. No. 21,) "An act amending and suplementary to the charter of St. George City," also "An act concerning libel," forwarding the same for the action of the House.

Said bill (H. F. No. 28,) "An act defining the eastern boundary of Juab county," was read as amended, and,

On motion of Mr. Rich, the House unanimously concurred in the Council's amendments.

Mr. Rich, chairman of the committee on claims and appropriations, presented territorial appropriation bill, which was read the first time, and,

On motion of Mr. Rockwood, the action of the House was deferred, on the items of services of clerk of 3rd Judicial District Court, and services and office rent, etc., of Territorial Marshal.

On motion of Mr. Rich, said bill was read the second time, and,

On motion of Mr. Rowberry, was referred back to the committee on claims, for amendments.

On motion of Mr. Wright, House took a recess till 2 p. m.

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2 p.m.

The House resumed its session.

The following communication was received and read:

Executive Office, Utah, Salt Lake City,
February 18th, 1868.

Hon John Taylor,
Speaker of the House of Representatives:

Sir:—A bill entitled, "An act incorporating the City of Franklin, in Cache county," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

Very Respectfully,
CHARLES DURKEE, Governor.

Also a bill entitled, "An act changing the county seat of Morgan county."

Very Respectfully,
CHARLES DURKEE, Governor.

Mr. Rich, to whom was referred the Territorial appropriation bill, reported the same as amended, which was read, and,

On motion of Mr. Rowberry, was read the third time by its title, and so passed.

The following report was received and read:

Committee Room, Salt Lake City, Feb. 20, 1868.

To the Members of the Legislative Assembly:

Gentlemen:—Your committee to whom was re-committed "An act defining the meaning of the term, Common Schools, and in relation to the further duties of County and Territorial Superintendents of Common Schools," beg leave to report, by way of amendments, four additional sections.

Very respectfully,
ORSON PRATT, SEN.,
Chairman of Committee on Education.

Said bill, as amended, was read the first time, and,

On motion of Mr. Wright, the bill was read the second time, and,

On motion of Mr. Thurber, was read the third time by its title.

The title was read, approved, and the bill so passed.

The following report was received and read:

Committee Room, Feb. 20, 1868.

To the Hon. Speaker and Members of the
House of Representatives:

Gentlemen:—Your committee on Elections would recommend that a joint session of both Houses be held at an early day, to elect the following officers, to wit:

Two Regents and a Treasurer, of the University of the State of Deseret:

One Probate Judge for .... Utah County
" " " Summit "
" " " Wasatch "
One Notary Public .... Sanpete "
Two " " Iron "
One " " Morgan "
" " " Tooele "
One Director for the Penitentiary

PETER MAUGHAN, Chairman.

On motion of Mr. Thurber, the report was received and the bill laid on the table to come up in joint session.

The following report was received and read:

Committee Room, Feb. 20th, 1868.

Hon. John Taylor, Speaker, etc.
and members of the House.

Gentlemen:—Your committee on private incorporations, to whom was referred (C. F. No. 10,) "An act providing for the organizing of bodies corporate and politic; of lyceums, libraries, reading rooms and museums; and for improvements in the sciences, arts, literature, professions, trades and agricultural pursuits," also constitution of the Weber county co-operative association, and memorial of Martin H. Harris. *Et al* relative to said co-operative association, hereby, respectfully report that, in the opinion of your committee the passage of said acts, would conflict the act of Congress of March 2nd, 1867, prohibiting the granting of private incorporated franchises; would hereby render the acts herein contemplated if passed, null and void. Therefore, in consideration of these facts, we deem it inexpedient to legislate further thereon.

Respectfully,
J. C. WRIGHT, Chairman.

On motion of Mr. Evans, the report was received and the committee discharged from the further consideration of the subject.

A message was received from the Council, announcing their passage of (C. F. No. 24,) "An act concerning militia" and forwarding the same for the action of the House.

Said bill, (C. F. No. 24,) "An act concerning militia" was read the first time, and

On motion of Mr. Rich, was read the second time, and

On motion of Mr. Young, was read the third time and passed.

The title was read, approved, and the bill so passed, was sent to the Council for engrossing.

Mr. Young, chairman of committee on militia, asked and obtained leave to withdraw (H. F. No. 30,) "An act amendatory of a system of regulations for the present organization and government of the militia of the Territory of Utah."

Minutes called for, read, and accepted.

On motion of Mr. Lyman the House took a recess till 7 o'clock.

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7 p.m.

House resumed its sitting.

A message was received from the Council announcing their passage of (C. F. No 19,) "An act prescribing rules and regulations for the execution of the trust arising under the act of Congress entitled, 'An act for the relief of the inhabitants of cities and towns upon the public lands,'" approved, March 2nd, 1867.

Said Bill, (C. F. No. 19,) "An act prescribing rules and regulations for the execution of the trust arising under the act of Congress, entitled, 'An act for the relief of the inhabitants of cities and towns upon the public lands, approved, March 2nd, 1867,'" was read the first time.

A message was received from the Council, announcing the appointment of Councilors Callister, Carrington and Smoot, a committee of Conference, to act with a like committee of the House to reconsider (C. F. No. 16,) "An act providing for the organization of bodies corporate and politic, etc."

The Speaker appointed Messrs. Wright, Farr, Rich, and Rockwood, said committee of Conference, on the part of the House.

A message was received from the Council, announcing their non-concurrence in (H. F. No. 24,) "An act repealing an act regulating estray pounds and for other purposes," but had substituted accomanying bill (C. F. No. 25,) "An act amending an act regulating estray pounds and for other purposes, approved Jan. 17th, 1866," respectfully forwarding the same for the action of the House.

Said substitute bill, (C. F. No. 25,) "An act amending an act regulating estray pounds and for other purposes," was read the first time, and,

On motion of Mr. Rich, was not concurred in.

Mr. Thurber motioned that a committee of Conference be appointed to meet with a like committee of the Council, to consider on (H. F. No. 24,) "An act repealing an act entitled an act, regulating estray pounds, and for other purposes,"

Seconded and carried.

The Speaker appointed Messrs. Rich, Thurber, Reese and Evans, said committee.

Mr. Reese, Chairman of committee on agriculture, trade, etc., to whom was referred an act pertaining to damage done by animals, reported said bill back recommending its passage.

Said bill "An act pertaining to damage done by animals," was read,

The following was received and read:

Committee Room, Feb 20, 1868.

Mr. Speaker and Members of the House of Representatives:

Gentlemen:—Your committee on Municipal Corporations, to whom was referred (C. F. No. 13,) "An act amending the charters of incorporated cities of the Territory of Utah," have attended to the duties assigned them, and recommend non-concurrence in the same; and respectfully submit a substitute bill for your consideration, and recommend its passage.

A. P. ROCKWOOD,
Chairman of committee on Municipal Cororations.

Said bill, "An act amending the 22nd section of several city charters," was read the first time, and,

On motion of Mr. Pratt, the report was received, and said bill was read the second time, and,

On motion of Mr. Thurber, was read the third time by its title.

The title was read, approved, and the bill so passed.

(C. F. No. 23,) "An act to amend an act, creating the office of select men, and prescribing their duties, also the duties of the County Courts," was read the first time, and,

On motion of Mr. Rich, was laid on the table until to-morrow.

(C. F. No. 21,) "An act amending, and supplementary to the charter of St. George City," was read the first time, and,

On motion of Mr. Pratt, the rules were suspended and the bill was read the third time by its title.

The title was read, approved, and the bill so passed, and sent to the Council for engrossing.

"An act concerning Libel," was read the first time, and,

On motion of Mr. Maughan, passed to its second reading, and,

On motion of Mr. Reese, was read the third time by its title.

The title was read, approved, and the bill so passed.

Minutes called for, read and accepted.

On motion of Mr. Rich, the House adjourned till 10 a. m. to-morrow.

Benediction by Mr. Giles.

FRIDAY, FEBRUARY 21, 1868.

COUNCIL.

COUNCIL CHAMBER,
Salt Lake City, Feb. 21, 1868, 10 a.m.

Council met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

Councilor L. Snow, chairman of the committee on roads, bridges, etc., made the following report:

To the President and Council:

Gentlemen:—Your committee, to whom was referred (H. F. No. 25,) "An act amendatory to an act entitled an act establishing a Territorial road from Salt Lake City to Wanship, Summit county," respectfully recommend that we do not concur with the House in said bill, and that the accompanying bill be adopted as a substitute.

LORENZO SNOW, Chairman.

Which was read, and,

On motion of Councilor Carrington, the report was accepted, and (C. F. No. 26,) "An act amendatory of and supplementary to an act entitled, an act establishing a Territorial road from Salt Lake City to Wanship, Summit county," approved Jan. 19, 1866, was taken up on its first reading, and,

On motion of Councilor E. Snow, passed its first reading, and,

On motion of Councilor Carrington, passed its second reading, and,

On motion of Councilor Smoot, was read the third time by its title, and so passed and sent to the House for their concurrence.

The Council took a recess till 2 p.m.

Council Chamber, 2 p.m.

Council resumed its session.

Councilor Harrington made the following report:

Council Room, Feb. 21, 1868.

Mr. President and Gentlemen of the Council:

Your committee, appointed to act with a committee of the House to examine the Auditor's books, also the Treasurer's books and redeemed Auditor's warrants, have made the examinations and found all to agree, and have destroyed said Auditor's warrants.

Respectfully,

L. E. HARRINGTON, Chairman.

Which was read, and,

On motion of Councilor Smoot, the report was accepted, and the committee discharged from further consideration of the subject.

Councilor Harrington made the following report:

Committee Room, Feb. 21, 1868.

Mr. President and Gentlemen of the Council:

Your committee, to whom was referred the report of the committee on a code of practice, respectfully report that they deem it inexpedient to legislate in that matter at present.

L. E. HARRINGTON, Chairman.

Which was read, and,

On motion of Councilor Haight, the report was accepted, and the committee discharged from further consideration of the subject.

Councilor Callister, chairman of the conference committee, to whom was referred the reconsideration of (C. F. No. 10,) "An act to provide for the organization of bodies corporate and politic, etc," reported that the committee had agreed on said bill.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 21, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House desire the Council to meet them in joint session in the Representatives' Hall at an hour to suit your convenience.

Very respectfully,
JOHN TAYLOR, Speaker.

The following communication was received and read:

Representatives' Hall, Salt Lake City, Feb. 21, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The House have further amended (H. F. No. 35,) "Territorial Appropriation Bill."

Do not concur in increasing [illegible]'s bill to $75 00.

Do not concur in striking out the conditions in Mr. Gardner's appropriation.

Have increased the amount to build a bridge across Beaver river above Minersville, to $500 00.

Do not concur in striking out the Kaysville wagon road item, $1,000 00.

Do not concur in striking out the item to build a road up Provo cañon to intersect the Wasatch wagon road, but amend it to $600 00.

Do not concur in striking out the appropriation of delinquent taxes to Edmund Ellsworth, $[illegible] 00.

The House have appointed Messrs. Maughan, Rockwood, West and Rich a committee of conference to meet a like committee of the Council, for the reconsideration of above mentioned items.

Very respectfully,
JOHN TAYLOR, Speaker.

(H. F. No. 35,) "The Territorial Appropriation Bill," was taken up as amended, and the amendments concurred in with one exception, and further amended by the Council, and returned to the House.

The following report was received:

Committee Room.

Mr. President and Members of the Council:

Your special committee, with a like committee from the House, to reconsider (H. F. No. 24,) "An act repealing an act regulating estray pounds, etc.;" also (C. F. No. 24,) "An act amending an act estray pounds and for other purposes, beg leave to report (C. F. No. 25) to the House, to reconsider the subject.

E. T. BENSON, Chairman of Special Committee.

Which was read, and,

On motion of Councilor Woodruff, the report was accepted, and the committee discharged from further consideration of the subject.

The following communication was received and read:

Representatives' Hall, Salt Lake City, Feb 21, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen;—The House concur in your further amendment to (H. F. No. 35,) "Territorial Appropriation Bill."

Very respectfully,
JOHN TAYLOR, Speaker.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 21, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The House has passed (C. F. No. 26,) "An act amendatory and supplementary to an act entitled an act establishing a Territorial road from Salt Lake City to Wanship, in Summit county," with amendments. Do you concur in the same?

Very respectfully,
JOHN TAYLOR, Speaker.

(C. F. No. 26,) "An act amendatory and supplementary to an act entitled an act establishing a Territorial road from Salt Lake City to Wanship, in Summit county, was taken up as amended, and,

On motion of Councilor Woodruff, the amendments were concurred in.

(H. F. No. 31,) "An act defining the meaning of the term common schools, and in relation to the further duties of County and Territorial superintendents of common schools," was taken up on its first reading, and,

On motion of Councilor Woodruff, passed its first reading, and laid on the table to come up in its order.

(H. F. No. 37,) "An act amending the charters of several cities," was taken up on its first reading, and,

On motion of Councilor Woodruff, passed its first reading, and,

On motion of Councilor Harrington, was referred to a committee of conference.

The President appointed Councilors E. Snow and Abbott said committee.

(H. F. No. 31,) was taken up on its second reading, and,

On motion of Councilor Benson, was referred to a special committee.

Councilors E. Snow and Harrington were appointed said committee.

Councilor Woodruff presented (C. F. No. 27,) "An act amending an act granting to Henry B. Alexander the right to establish a toll bridge or bridges on Weber river, in Summit county," was taken up on its first reading, and,

On motion of Councilor Haight, passed its first reading.

The Council took a recess till 6½ p.m.

Council Chamber, 6½ p.m.

Council resumed resumed its session.

A communication was received from the House announcing their passage of (C. F. No. 19.)

Councilor Carrington presented (C. F. No. 28,) "An act to provide for convening the eighteenth and subsequent annual sessions of the Legislative Assembly," which was taken up on its first reading, and,

On motion of Councilor Woodruff, passed its first reading, and,

On motion of Councilor Hyde, passed its second reading, and,

On motion of Councilor L. Snow, passed its third reading, and sent to the House for their concurrence.

Councilor E. Snow, to whom was referred (H. F. No. 3,) reported the same back without amendments, and recommended its passage, and,

On motion of Councilor Benson, the report was accepted, and the committee discharged from further consideration of the subject, and,

On motion of Councilor Benson, the Council concurred in the passage of the bill.

Councilor Harrington presented the following:

Be it resolved by the Legislative Council of the Territory of Utah, that we duly appreciate the kind offices and liberal action of his Excellency Governor Durkee, manifested in his official capacity towards the Legislative Assembly, and hereby tender our thanks for the same, and for his courteous demeanor towards all the members and officers thereof.

L. E. HARRINGTON.

Which was read, and,

On motion of Councilor Woodruff, the resolution was adopted.

Councilor Harrington presented the following:

Be it resolved by the Legislative Council of the Territory of Utah, that the thanks of the Council are hereby tendered to the Hon. Edwin Higgins, Secretary of Utah Territory, for his courteous and kind deportment, and liberal action towards the members and officers of the present Legislative Assembly.

L. E. HARRINGTON.

Which was read, and,

On motion of Councilor Callister, the resolution was adopted.

The following communication was received and read:

Representatives' Hall, Salt Lake City, Feb. 21, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The accompanying bill, (C. F. No. 10,) "An act providing for the organization of bodies corporate and politic for the establishment of lyceums, libraries, reading rooms and museums, and for improvement in the sciences, arts, literature, professions, trades and agricultural pursuits," is not concurred in by the House.

Very respectfully,
JOHN TAYLOR, Speaker.

(C. F. No. 27,) "An act amending an act granting unto Henry S. Alexander the right to establish a toll bridge or bridges on Weber river, in Summit county," was taken up on its second reading, and,

On motion of Councilor Smoot, passed its second reading, and,

On motion of Councilor Young, was read the third time by its title, and so passed, and sent to the House for their concurrence.

The following communication was received and read:

Representatives' Hall, Feb. 21, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The accompanying "Resolution remitting Territorial taxes," has been adopted by the House, and is respectfully forwarded for your action.

Very respectfully, JOHN TAYLOR, Speaker.

(H. F. No. 33,) "Resolution in relation to remitting certain taxes," was taken up, and,

On motion of Councilor Young, was concurred in, and the House notified accordingly.

The following communication was received and read:

Representatives' Hall, Feb, 21, 1868.

Hon. George A Smith, President, and
Members of the Council:

Gentlemen:—The House has adopted the accompanying "Resolution authorising the removal of the Utah Library," which is respectfully forwarded for your action.

Very respectfully,
JOHN TAYLOR, Speaker.

House Resolution authorizing the removal of the Utah Library, to the City Hall, was taken up, and,

On motion of Councilor Benson, was amended, and passed as amended, and the House notified accordingly.

The following communication was received and read:

Representatives' Hall, Salt Lake City,
Feb. 21, 1868.

Hon Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House has reconsidered their action on (C. F.

No. 13,) "An act amending city charters," and concur with the Council in the passage of the same.

Very respectfully,
JOHN TAYLOR, Speaker.

The following communication was received and read:

Representatives' Hall, Feb. 21, 1868.

Hon. George A. Smith, President, and
Members of the Council:

Gentlemen:—The House concur in the passage of (C. F. No. 27,) "An act amending an act granting to Heury S. Alexander the right to establish a toll bridge or bridges on Weber river, in Summit county."

Very respectfully,
JOHN TAYLOR, Speaker.

Councilor Carrington presented (C. F. No. 29,) "A resolution concerning delinquent taxes," which was taken up on its first reading, and

On motion of Councilor Smoot, was laid on the table.

Councilor Hyde presented "Memorial to Congress, praying for an appropriation to defray the expenses of the late Indian war," which was read, and

On motion of Councilor Woodruff, the memorial was adopted and sent to the House for their concurrence.

The following communication was received and read:

Representatives' Hall, Feb. 21, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House has passed (C. F. No. 23,) "An act to amend an act creating the office of selectmen and prescribing their duties, also the duties of county courts."

Very respectfully,
JOHN TAYLOR, Speaker.

The following communication was received and read:

Representatives' Hall, Feb. 21, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House has passed (H. F. No. 39,) "An act authorizing the re-location of the Territorial road from Wanship to Coalville, in Summit county."

The House has also adopted (C. F. No. 28,) "An act to provide for convening the eighteenth and subsequent annual sessions of the Legislative Assembly."

Very respectfully,
JOHN TAYLOR, Speaker.

(H. F. No. 39,) "An act authorizing the re-location of the Territorial road from Wanship to Coalville, Summit county," was taken up on its first reading, and

On motion of Councilor Benson, passed its first reading, and,

On motion of Councilor Smoot, passed its second reading, and,

On motion of Councilor L. Snow, was read the third time by its title, and so passed, and sent to the House concurred in.

The following communications were received and read:

Executive Office, Utah, Salt Lake City,
February 21, 1868.

Hon George A. Smith, President of the Council:

Sir:—A bill entitled "An act amendatory and supplementary to the charter of St. George city," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

Very Respectfully,
CHARLES DURKEE, Governor.

Executive Office, Utah, Salt Lake City,
February 20, 1868.

Hon. Geo. A. Smith, President of the Council.

Sir:—A bill entitled "A repealing act," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

I have also approved and signed a "Memorial to Congress for an appropriation to pay for certain public printing;" and have placed the same in the hands of the Secretary of the Territory, with a request that the same be immediately forwarded to our Delegate in Congress.

Very respectfully,
CHARLES DURKEE, Governor.

Executive Office, Utah, Salt Lake City,
February 21st, 1868.

Hon. Geo. A. Smith, President of the Council:

Sir:—The bill entitled "An act concerning the militia," has been received at this office, and duly considered. This bill proposes to perfect a military system that is illegal and imperfect in itself, and hence it would be of no legal force should it become a law, as it would rest on our present military code, which has never been enacted by the Legislature.

To me these reasons are very obvious that I should withhold my approval of this bill.

Respectfully,
CHARLES DURKEE, Governor.

Executive Office, Utah, Salt Lake City,
February 20th, 1868.

Hon. Geo. A. Smith, President of the Council.

Sir:—The bill entitled "An act concerning coroners, justices of the peace and inquests," also "An act incorporating Mount Pleasant, in Sanpete county," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

Very Respectfully,
CHARLES DURKEE, Governor.

Executive Office, Utah, Salt Lake City,
February 21st, 1868.

Hon. Geo. A. Smith, President of the Council:

Sir:—A bill entitled "an act concerning libel," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

Respectfully,
CHARLES DURKEE, Governor.

The following communication was received and read:

Representatives' Hall, Feb. 21, 1868.

Hon. George A. Smith, President, and
Members of the Council.

Gentlemen,—(H. F. No. 38,) "An act to provide for printing and distributing the Laws and Journals of the seventeenth annual session of the Legislative Assembly," has passed the House, and is respectfully forwarded for your action.

The House concur in your adoption of "Memorial to Congress praying for an appropriation to defray expenses of the late Indian war," and also concur in your amendment to "Resolution authorizing the removal of the Utah Library."

Very respectfully,
JOHN TAYLOR, Speaker.

(H. F. No. 38,) "An act to provide for printing and distributing the Laws and Journals of the seventeenth annual session of the Legislative Assembly," was taken up on its first reading, and,

On motion of Councilor Callister, passed its first reading, and,

On motion of Councilor Hyde, was amended, and,

On motion of Councilor Woodruff, passed its second reading as amended, and,

On motion of Councilor Smoot, was read the third time by its title, and so passed and sent to the House for their concurrence in the amendment.

The following communication was received and read:

Representatives' Hall, Feb. 21, 1868.

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—Our table is clear of business, with the exception of that which requires a joint session.

Very Respectfully,
JOHN TAYLOR, Speaker.

Moved by Councilor Benson that we tender to the Hon. George A. Smith, President of the Council, our thanks for the prompt and efficient manner in which he has presided over this Council; and that the dignity of his deportment, and his kindness exhibited in his intercourse with the members and officers of the Council, in connection with his uniform kindly offices in all his associations, render him entitled to our esteem and grateful remembrance.

Seconded and carried unanimously.

The Assembly went into Joint Session.

(JOINT SESSION.)

—o—

REPRESENTATIVES' HALL,
Salt Lake City, Feb. 21, 1868.

According to previous agreement, the Assembly went into joint session.

The President of the Council presiding.

The roll of the Council was called by the Secretary of the Council. Quorum present.

The roll of the House was called by the Chief Clerk of the House. Quorum present.

Prayer by the Chaplain of the Council.

The President declared the joint session open and ready for the business before them, of electing the officers elective by the joint vote of the Assembly.

Councilor Young, chairman of the committee on elections, presented resignation of Hon. Geo. W. Bean, Probate Judge of Utah county, which was read, and,

On motion of Councilor Benson, the resignation was accepted.

Councilor Young presented resignation of Hon. Geo. G. Snyder, Probate Judge of Summit county, which was read, and,

On motion of Councilor Woodruff, the resignation was accepted.

Councilor Young presented resignation of Hon. John W. Witt, Probate Judge of Wasatch county, which was read, and,

On motion of Councilor Hyde, the resignation was accepted.

Councilor Young also presented resignation of Angus M. Cannon, Esq., District Attorney for the 2d Judicial District, which was read, and,

On motion of Councilor E. Snow, the resignation was accepted.

On motion of Councilor Young, D. O. Calder was elected a Regent of the Deseret University.

On motion of Mr. Maughan, Brigham Young, Jun., was elected a Regent of the University.

On motion of Councilor Young, T. W. Ellerbeck was elected Treasurer of the University.

On Motion of Mr. Maughan, John Taylor was elected Probate Judge for Utah county.

On motion of Mr. Cluff, Arza E. Hinkley was elected Probate Judge for Summit county.

On motion of Mr. Giles, Abraham Hatch was elected Probate Judge for Wasatch county.

On motion of Councilor Hyde, James C. Brown was elected a Notary Public for Sanpete county.

On motion of Mr. S. S. Smith, John M. McFarlane was elected a Notary Public for Iron county.

On motion of Mr. Lyman, Calvin C. Pendleton was elected a Notary Public for Iron county.

On motion of Mr. Merrill, Geo. Davis was elected a Notary Public for Morgan county.

On motion of Mr. Rowberry, David Henry Caldwell of Rush Valley, was elected a Notary Public for Tooele county.

On motion of Mr. Rockwood, Alexander C. Pyper was elected a Director to the Penitentiary.

On motion of Councilor Young, Le Grand Young was elected Superintendent of the Salt Lake City and Wanship Wagon Road.

On motion of E. Snow, Wm. Snow was elected District Attorney for 2d Judicial District of Utah Territory.

Minutes called for, read and accepted.

On motion of Councilor Hyde, the joint session dissolved.

On dissolution of the joint session, the Council resumed its session.

The following communication was received and read:

Executive Office, Utah, Salt Lake City,
February 21, 1868.

Hon George A. Smith, President of the Council:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act amendatory of and supplementary to an act entitled an act establishing a Territorial road from Great Salt Lake City to Wanship, Summit county, approved Jan. 19, 1866."

CHARLES DURKEE, Governor.

Councilor Harrington moved that our Secretary, and Assistant Secretary and Engrossing Clerk, for their scribbling, reading and communicative qualities—the Sergeant-at-Arms for his paper, pen, ink, candle (according to circumstances) and other qualifications, including Marshalship—the Messenger for his legging and transportation endurance and capabilities—the Foreman for coal, fuscous and sweeping propensities, and the Chaplain for kind, charitable and spiritual manifestations—be by this Council considered decidedly good, and that they all, for the diligence and ability displayed in the discharge of their respective duties, are justly entitled to and do hereby receive a unanimous vote of thanks.

Seconded and carried unanimously.

The following communication was received and read:

Hon. Geo. A. Smith, President, and
Members of the Council:

Gentlemen:—The House concur in your amendment to (H. F. No. 33,) "An act to provide for printing and distributing the Laws and Journals of the seventeenth annual session of the Legislative Assembly."

Very respectfully,
JOHN ROWBERRY, Speaker pro. tem.

On motion of Councilor Carrington, a committee of two was appointed, consisting of Councilors Smoot and Harrington, to act with a like committee of the House, to wait upon his Excellency, the Governor, to inform him that the tables were clear, and ascertain if he had any further communications to make to the Assembly.

Councilor Smoot, chairman of the committee appointed to wait upon his Excellency, the Governor, reported that he had no further communication to make but the following:

Executive Office, Utah, Salt Lake City,
February 21st, 1868.

Hon. George A. Smith, President of the Council:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of the Territory, a bill entitled "An act amending the charters of the incorporated cities in the Territory of Utah;" also a bill entitled "An act amending an act granting Henry S. Alexander the right to establish a toll bridge or bridges on Weber river, in Summit county;" also a bill entitled "An act prescribing rules and regulations for the execution of the trust arising under the act of Congress, entitled 'An act for the relief of the inhabitants of cities and town upon the public lands, approved March 2d 1867;" also a "Memorial to Congress praying for an appropriation to defray the expenses of the late Indian war in Utah Territory."

Respectfully,
CHARLES DURKEE, Governor.

Minutes called for, read accepted.

On motion of Councilor Haight, the Council adjourned.

HOUSE.

REPRESENTATIVES' HALL,
Salt Lake City, Feb. 21, 1868.

House met pursuant to adjournment.

Roll called. Quorum present.

Prayer by the Chaplain.

A message was received from the Council, announcing their amendment and passage of the Territorial Appropriation Bill, returning the same for the action of the House.

Said appropriation bill was read the first time as amended, and,

On motion of Mr. Maughan, was read the second time by items and further amended, and,

On motion of Mr. Rockwood, a committee of conference was appointed to meet a like committee of the Council in relation to the amended items of said bill.

The Speaker appointed Messrs. Maughan, Rockwood, West and Rollins said committee.

A message was received from the Council, announcing their appointment of Councilors Benson, Carrington and E. Snow a committee of conference, to meet with a like committee of the House, to reconsider (H. F. No. [illegible],) "An act repealing an act regulating estray pounds and for other purposes;" also to act with the House committee on the reconsideration of (C. F. No. 28,) "An act amending an act regulating estray pounds and for other purposes."

Mr. Merrill moved that the Council be invited to meet in joint session with the House, at 8 p.m. this evening, for the purpose of electing certain officers that are made elective by the Legislature.

Seconded and carried.

On motion of Mr. Rollins, the House took a recess till 2 p.m.

2 p.m.

House resumed its session.

Mr. West presented report of the Deseret Agricultural and Manufacturing Society, on Irrigation, Agriculture and Horticulture, with accompanying tables of statistics, which were read.

On motion of Mr. West, two hundred copies thereof were ordered printed in pamphlet form.

REPORT
OF THE
DESERET AGRICULTURAL
AND
MANUFACTURING SOCIETY,
ON
IRRIGATION, AGRICULTURAL,
AND
HORTICULTURAL STATISTICS.

FOR THE YEAR
1867.

Salt Lake City, February 21st, 1868.

To the Hon. the Legislative Assembly
of the Territory of Utah.

Gentlemen:—The Deseret Agricultural and Manufacturing Society pursuant to Resolution approved Jan. 17, 1866, authorizing and requiring them to collect agricultural, horticultural and Irrigation Statistics of the settlements in the Territory and report to the Assembly, beg leave to present the accompanying tables of statistics.

The total amount expended as per returns on irrigation canals, dams, and cleaning out old ditches, is two hundred and forty-six thousand nine hundred and thirty-eight dollars and fifty-three cents.

The county table of agricultural statistics represent eighty thousand five hundred and eighteen and three-quarter acres of cereal crops raised the past year, also one thousand eight hundred and seventeen and one-half acres in Sorghum, and six thousand eight hundred and thirty-nine and one-quarter acres in root crops with one hundred and sixty-six acres in cotton, and twenty-nine thousand eight hundred and seventy-six and one-quarter acres in meadow.

The horticultural county table represents, nine hundred and six acres in apple orchards, and one thousand and eleven and five-eighths acres in peach orchards, and seventy-five and seven-eighths acres in grapes, and one hundred and ninety-five and one-quarter acres in currants.

In consequence of the abandonment of the Counties of Sevier and Pi-Ute, and owing to some counties failing to return complete reports the returns show less land cultivated this year than last, which however is not the case unless perhaps in Cache and San Pete counties where the indications that grasshoppers would visit them were so strong that many did not sow so much as in former years. Washington county did not cultivate more than half the cotton which they did in 1866.

The percentage of crops lost this year by grasshoppers is carefully noted as per the returns made and is shown in the accompanying table.

Respectfully submitted by,

Wilford Woodruff,
President of the D. A. and M. Society.

Robt. L. Campbell, Secretary.

IRRIGATION STATISTICS, UTAH TERRITORY, 1867.

COUNTY TABLE.

COUNTIES.	No. of Acres Irrigated.	Amount expended on Canals from Oct. 31, '66 to Oct. 31, '67	Am't expended on Dams from Oct. 31, '66 to Oct. 31, '67.	Am't expended cleaning out old ditches from Oct. 31, '66 to Oct. 31, '67.	REMARKS.
Beaver,	2542	$ 1000 00	$ 152 00	$ 890 00	
Box Elder,	4366	7875 00	11595 00	1950 00	
Cache,†	16838½	19050 00	4855 00	16020 00	
Davis,	5975	950 00	500 00	1985 00	
Salt Lake,†	8446¾	29914 00	3900 39	15151 00	
Iron,†	2542¼	916 00	722 00	8819 00	
Juab,	3282½	2550 00	1720 00	2450 00	
Kane,	653¾	8224 00	726 75	2878 00	
Millard,†	2382	1295 00	838 00	949 00	
Morgan,†	1501	4250 00	910 00	2300 00	
Piute,*					
Richland,	650¼	1302 00			$1000 expended on private ditches
Sanpete,	19026	3950 00	875 00	5595 75	
Sevier,*					
Summit,	1742½	2150 00	50 00	1150 00	
Tooele,	2598½	2266 00	2100 00	4150 00	
Utah,	11289	29475 00	545 00	6435 00	
Wasatch,	2190	378 85	655 00	509 00	
Washington,	1725¼	7097 00	5095 00	7267 90	
Weber,	6242	3547 09	9384 75	7786 95	
	93799¼	121043 94	44623 89	81270 70	

Some of the settlements in the counties marked † failed to report.
* Abandoned in consequence of Indian hostilities.

AGRICULTURAL STATISTICS.

COUNTIES.	No. of acres in wheat.	Average yield per acre in bushels.	Loss sustained	No. of acres in barley.	Average yield per acre in bushels.	Loss sustained	No. of acres in oats.	Average yield per acre in bushels.	Loss sustained	No. of acres in corn.	Average yield per acre in bushels.	Loss sustained	No. of acres in sorghum.	Average yield per acre in gallons.
Beaver	[illegible]	16		[illegible]	17		250	17½		25	25			
Box Elder	[illegible]	19	[illegible]	700	20⅛	[illegible]	960	17¼	½	420	27½	[illegible]	[illegible]	[illegible]
Cache	9657	6	[illegible]	[illegible]	7	[illegible]	[illegible]	6	[illegible]	1083	18	[illegible]	84	72
Davis	2010	19	[illegible]	[illegible]	17	[illegible]	[illegible]	12	[illegible]	700	5	[illegible]	[illegible]	[illegible]
G. S. Lake	[illegible]	21		[illegible]	25	[illegible]	[illegible]	25	[illegible]	1414	15½	[illegible]	[illegible]	[illegible]
Iron	[illegible]	[illegible]		[illegible]	25		155	25¼		273	14½	[illegible]		
Juab	[illegible]	19	[illegible]	[illegible]	19	[illegible]	[illegible]	22¾	[illegible]	[illegible]	16	⅛	[illegible]	[illegible]
Kane	[illegible]	[illegible]	[illegible]	[illegible]	20		[illegible]	20		[illegible]	18⅗		[illegible]	[illegible]
Millard	[illegible]	[illegible]		[illegible]	25		[illegible]	29		199	20		87	[illegible]
Morgan	[illegible]	19	[illegible]	[illegible]	[illegible]	[illegible]	115	8	⅛	6	18	¼		
Pi-Ute*														
Richland†	[illegible]	16	[illegible]	109	[illegible]	[illegible]	132	27½	[illegible]					
Sanpete	[illegible]	17½		[illegible]	22	[illegible]	[illegible]	[illegible]	[illegible]	70	23			
Sevier*														
Summit	[illegible]	21	[illegible]	820	7	[illegible]	[illegible]	11	[illegible]					
Tooele	[illegible]	28	[illegible]	[illegible]	25	[illegible]	[illegible]	20	[illegible]	498	18	¼	[illegible]	[illegible]
Utah	[illegible]	16		[illegible]	23	[illegible]	[illegible]	21	[illegible]	1183	18	¼	[illegible]	[illegible]
Wasatch	[illegible]	15	⅜	18	17	[illegible]	[illegible]	18	½					
Washington	481¼	18⅝		11	25		42	25		580½	22		204	[illegible]
Weber	[illegible]	19	¼	781	25	½	883	20	[illegible]	1141	14	½	[illegible]	[illegible]
	[illegible]	[illegible]	⅛	[illegible]	[illegible]	¼	[illegible]	19¾	[illegible]	7920½	14⅗	¼	[illegible]	[illegible]

† Incomplete reports—but two settlements reported

UTAH TERRITORY, 1867.

Loss sustained	No. of acres in potatoes.	Average yield per acre in bushels.	Loss sustained	No. of acres in carrots.	Average yield per acre in bushels.	Loss sustained	No. of acres in beets.	Average yield per acre in bushels.	Loss sustained	No. of acres in cotton.	Average yield per acre in lbs.	Loss sustained	No. of acres in meadow.	Average yield per acre in tons.	Loss sustained	REMARKS
	137	51¼											600	1¼		
	309	232		21	850		6	850					1470	1½		
	267	196	⅝	59	329	⅛	54	429	⅛				7771	1	⅛	
	[illegible]	70	½	6	58	½	6	225	⅜				1330	1¾	⅜	
	858	106	½	61	148½	¾	9½	223½	⅓				1859	1½	½	
	268	96		8½	452½		1						341¾	2		
	350	115		4	350	¼	4	100	⅛				2650	1½		
	4	185¼		1½	133⅓		¼	260		72	142		11	2		
	75	190		5¼	600		8	452					449	1¼		
	123	54	⅛	7	75	⅛	8	43	¼				478	¾	⅛	
	33	127	⅓	1¼	207½		5½	185	¼				600	1⅓		
	2375	312¾	⅜	50	100	⅛	150	150	⅜				3050	1½		
	92	150	⅓	4	80	⅔	8½	500	¼				600	1½	⅛	
	105	156		25	400	½	15	750					1005	2		
⅛	131	97	⅓	16½	814	¼	3¾	413					3579	1½		
	112	132	⅓	2			2						901	1½	½	
¼	60	[illegible]		18¼	358		5	812½		94	200		419¼	1		
	[illegible]	[illegible]	¼	37	318	⅛	6⅝	252					2877	1½		
⅙	[illegible]	101⅝	¼	287¼	246	⅛	277⅛	284	⅛	166	171		[illegible]	[illegible]	[illegible]	

* Abandoned in consequence of Indian hostilities.

HORTICULTURAL STATISTICS, UTAH TERRITORY, TERRITORIAL TABLE.

NAMES OF COUNTIES.	No. acres in apples	Average yield per acre in bus.	Loss sustained.	No. of acres in peaches	Average yield per acre in bushels	Loss sustained	No. of acres in grapes	Average yield per acre in bushels	Loss sustained	No. of acres in currants	Average yield per acre in bus.	Loss sustained	
Beaver	26			3						6			Not bearing
Box Elder	16	800	[illegible]	36	1000	⅛	1⅓			6½	800		
Cache †	67½			5			1			28			
Davis	84		⅓	160	158	⅙				81	200		Apple trees young
G. S. Lake	294	210	½	196¼	181	⅛	8⅞	1500		34		½	
Iron	88½			11						[illegible]	40		Not bearing
Juab	14			9	200		2½	850	¼	12	80	¼	
Kane	40½	600		85	740		15¾	1100		2			
Millard †	17½	74		32	153	⅛				1¾	49		Apples matured at Deseret first time
Morgan †													
Piute *													
Richland													
Sanpete	35			10						28			
Sevier *													
Summit †													
Tooele	50½			78			6			12			
Utah	143	150		234	209		3	2133		16	60		
Wasatch													
Washington	49½			120	307½		42¼	3388⅛		9½	150		Nearly [illegible]
Weber	36½			79¼	149	⅛				7	62		
	906			1011¾			75⅝			195½			

Some of the settlements in the Counties marked † reported incompletely.
* Abandoned in consequence of Indian hostilities.

Mr. Pratt presented annual report of Superintendent of Common Schools for the year 1867, with accompanying documents and statistics, which were read, and,

On motion of Mr. Rowberry, six hundred copies thereof with school code, were ordered printed in pamphlet form.

ANNUAL REPORT

OF THE

SUPERINTENDENT OF COMMON SCHOOLS

FOR 1867.

SALT LAKE CITY, U. T.,
February 19, 1868.

TO THE HONORABLE THE
LEGISLATIVE ASSEMBLY OF UTAH TERRITORY:

Gentlemen:—The Superintendent of Common Schools herewith presents his annual report for the year 1867, with accompanying table of statistics, which is more full and complete than any hitherto presented.

The counties represented exhibit a school population of twenty-one thousand three hundred and sixteen, of which there are twelve thousand five hundred and thirty-nine, or fifty-eight and three-fourths per cent enrolled in school schedules; the average attendance being eight thousand seven hundred and forty-two, or forty-one per cent of actual school attendance. Schools are kept open throughout the Territory on an average, nearly six months in the year. Tuition fees range from three to six dollars per quarter for teaching the common English branches.

There are in the Territory one hundred and eighty-six school districts, of which one hundred and sixty-one are represented in this report, leaving only twenty-five unrepresented; some of these no doubt are isolated districts in which there are no schools, in such all the representation lacking, is the number of the school population. Washington county at the last August election changed their Superintendent which accounts for the meagre report from that county: it is seldom that new incumbents do better. In a few counties the returns as to the amounts paid to teachers have been omitted; in many of the counties these returns are tabulated imperfectly, owing to some districts failing to report the amounts so paid; for instance, Salt Lake county has four districts which omitted to return the amount paid to teachers, making the total when footed up fall short of three dollars per quarter per pupil, whereas three dollars is the minimum charge per quarter for tuition in most of the counties.

Although the present school law permits trustees when authorized by a two-third's vote of the tax-payers in the district to assess and collect taxes for building school houses and also for the payment of qualified teachers, there are but few districts which operate in accordance with this provision; nearly all the school houses in the Territory have been built by the voluntary liberal donations of the citizens, and the teachers have almost invariably been dependent on the tuition fees obtained from their pupils.

Many school houses are being built, those built are generally reported good, but there is still much room for their improvement; as the surroundings of a child at school have much to do with the advancement of its education.

Perhaps at no time in the history of this Territory, have educational interests been less neglected than the present winter. Attendance upon schools, the procuring of libraries, the establishing of lectures, are among the leading topics engaging public consideration. The most isolated portions of the Territory have caught the educational inspiration, and are putting forth their energies in the laudable and God-like cause. So thoroughly does this sentiment permeate the community that even the inmates of the Pentitentiary have petitioned the Warden, who has established a common school for the benefit of the convicts, and the guards have volunteered service for two additional hours, that the good work of education may go on.

The Superintendent takes great pleasure in seconding the efforts of President Brigham Young and the Board of Regents of the University of Deseret, in the introduction of the Deseret Alphabet. That English orthography needs reform is patent to all who have given the matter the slightest consideration. To follow in the footsteps of our venerated fathers in a system of orthography so inconsistent and ridicnlous and which has never helped to make the comers thereunto perfect, is unworthy of a people whose constant and highest aspirations are to be associated with truth and intelligence, and who discard error in whatever form it is presented.

In the childhood of the English language the learned who wrote it, spelled the same word in many different ways. So much was this the case that the most simple words in the language admitted of the greatest irregularity. In the translation of the New Testament about a century after the era of printing, by Tyndale, who was distinguished for his talents and learning, the pronoun *it* is spelt in eight different ways. In the time of Shakespere, orthography was so very nnsettled that his name was written in thirty different ways. This was not the exception but the rule insomuch that it has been truthfully said, that bad as the orthography of the present day is, it is *order itself* when compared with that of a few centuries ago.

Dr. Webster said "Nothing can be more disreputable to the literary character of a nation than the history of English orthography." Professor Hadley wrote: "The defects of English spelling have to a great extent arisen from the mixture of different elements in the language. Neither the Anglo-Saxon orthography, nor the Norman French was distinguished for its regularity. But when the two were thrown together, the result was a mass of confusion and anomaly hardly to be paralleled except, perhaps, in the spelling of the native Irish. The present system retains much of this chaotic character; it is perhaps too firmly fixed for extensive changes such as could alone effect a material improvement. But it is not creditable to the English name, nor accordant with the practical spirit of the English people. With a multitude of signs for the same sound, and a multitude of sounds for the same sign, it poorly fulfills the original and proper office of orthography, to indicate pronunciation; nor does it better fulfill the improper office, which some would assert for it, of a guide to etymology. It imposes a needless burden on the native learner. To a foreigner it seriously aggravates the difficulty of acquiring the language, and thus restricts the influence of English literature on the mind of the world."

Learned men for centuries have endeavored to introduce a uniformity in English orthography. Many of them sought to introduce systems that were practically phonetic, spelling words according to their pronounciation, omitting such letters as were deemed superfluous. But learned bigots regarded the efforts of these reformers as innovations that were not to be followed; and the usage of the proud and the learned was adopted as the edict of a higher power from which none could hope to appeal successfully.

In the late and valuable edition of Webster unabridged there is a list of words given (numbering upwards of sixteen hundred) which are spelled in two or more ways. Dr. Worcester has a list equally large of "words of doubtful and various orthography."

It may be looked upon as herculean effort to attempt the reform of English orthography; but it is a reform so much in keeping with the progress of the age, in which we are privileged to live, and which portends so much advantage and blessing to our children, that we should be recreant to ourselves and to the cause of truth did we not unitedly take hold of the subject.

The moral training of our youth should not be neglected in the common schools of our country. It is a matter of paramount importance, and when it is so regarded and acted upon with spirit and diligence the result will be one of the most favorable kind; indeed, it will be like seed sown upon good ground yielding an hundred fold.

It is a principle conceded in merchandizing that to buy a good article is generally the cheapest, and *vice versa;* it is more so in hiring school teachers. The competent teacher who asks for a liberal compensation for his services, and whose ability merits it, should be preferred to the cheap one, who, for want of tact and ability to impart the necessary instructions at the proper time, allows the valuable moments of the youth entrusted to his charge to pass by unimproved. "As is the teacher, so is the School" is an old but true maxim.

There are great apathy and indifference manifested by many of the trustees. The school code requires the trustees to visit the schools of their districts once in a quarter; many trustees, however, do not visit the school once a year. This is reprehensible. Furthermore, parents do not visit the schools as often as they should, so that there is but little stimulus to the indifferent school teacher and but little encouragement to the energetic and faithful.

To procure a uniformity of text books in our schools, the Superintendent in 1864, associated with G. S. L. county Superintendent and the principal teachers of Salt Lake City, counseled in relation to this subject and concluded to adopt Willson's series of readers, Wilson's speller, Colborn's mental arithmetic, Ray's arithmetic, Pinneo's grammar, primary and analytical; Monteith's geography and Goodrich's history of the United States. A circular was printed in April 1864 addressed to Utah merchants and importers of school books, and distributed to all concerned. The succeeding year these circulars were again distributed. Some counties have sent exclusively for these text books, while others, especially Salt Lake, have clung with tenacity to the Eclectic or McGuffey's series, which at the date of the circular were in use in the schools. These two series, however, are the only ones imported.

The School and University lands donated by the General Government to States and other Territories of the Union, having proved so powerful a lever in promoting educational interests, the Superintendent thought proper to confer with the Land Commissioner at Washington upon the subject. The communication, with the Commissioner's reply is annexed to this report.

During the past year a vacancy occurred in the office of County Superintendent in Sanpete County, in conformity with the provisions of the School Code, the Territorial Superintendent appointed Wm. T. Reid, of Manti.

A catalogue of books and documents belonging to this superintendency is appended, and a list of County Superintendents and their residences.

Respectfully submitted by

ROBERT L. CAMPBELL,
Territorial Superintendent of Common Schools.

Salt Lake City, Utah Territory, April 3, 1864.

TO UTAH MERCHANTS AND IMPORTERS OF SCHOOL BOOKS.

The Superintendent of Common Schools desirous of securing and establishing a uniformity of text books in our schools, and having consulted with the principal teachers in Salt Lake City, in relation thereto, unites with them in recommending the following:

Wilson's series of Readers.
Wilson's Speller.
Colburn's Mental Arithmetic.
Ray's Arithmetic—third part and higher.

Pinneo's Grammar—primary and analytical.
Monteith's Geography, second, third and fourth parts.
Goodrich's History (late edition).

ROBERT L. CAMPBELL,
Superintendent of Common Schools.

Great Salt City, U. T., Sep. 26, 1868.

COMMISSIONER WILSON:

I beg leave to make inquiry concerning the school lands for Utah Territory.

I understand that school section No. 36, in Salt Lake City, is very valuable. Can any step be taken at present to secure a patent for the land.

The educational interests of this Terrritory need the financial aid of the General Government, but, up to date, there has not been the first dollar or acre of land realized to promote the education of our youth.

Should it be within the sphere of your department to aid in acquiring for this Territory patents for school or university lands, I trust that the promotion of the cause of education will be a sufficient incentive to induce you to do all for our school interests which the utmost limits of your prerogatives will allow.

Please advise me of the course to pursue to promote this matter, and oblige

Yours respectfully,
ROBERT L. CAMPBELL,
Superintendent of Common Schools.

Department of the Interior, General
83201. Land Office, Oct. 14, 1867.
Robert L. Campbell, Esq., Great Salt Lake City,
Utah Territory:

Sir:—In reply to your letter of the 27th ult., I have to state that sections 16 and 36 are reserved for schools in Utah Territory, but title thereto cannot be acquired until further legislation by Congress, making the "Grant in place," which is not usually done until the community passes from a Territorial condition to a State.

Very respectfully, your ob't. servant,
JOS. S. WILSON, Commissioner.

CATALOGUE OF BOOKS AND DOCUMENTS BELONGING TO THE OFFICE OF SUPERINTENDENT OF COMMON SCHOOLS 1867.

For the year 1857.—Fifth Annual Report of the Board of Trustees of the State Reform School of Connecticut.

For the year 1858.—Fifth Annual Report of the State Commissioner of Common Schools, to the General Assembly of Ohio.

For the year 1859.—Eleventh Annual Report of the condition and improvement of the Common Schools and educational interests of the State of Wisconsin.

Report of the Superintendent of Public Instruction of Kentucky.

For the year 1860.—Eighth Annual Report of the Superintendent of Public Instruction of the State of Indiana.

For the year 1861.—Fifteenth Annual Report upon the Common Schools of New Hampshire.

For the year 1862.—Tenth Annual Report of the Superintendent of Public Instruction for the State of Indiana, to the Governor.

Sixteenth Annual Report upon the Common Schools of New Hampshire.

Twenty-sixth Annual Report of the Superintendent of Public Instruction of the State of Michigan.

The Common School Laws of Pennsylvania, with explanatory instructions and forms.

Report of the Regents of the University of the State of New York

For the year 1863.—Rules of the Board of Education and Regulations of the Public Schools of San Francisco.

Wisconsin School Code with instructions to School Offices, etc.

Sixth Annual Report of the Regents of Normal Schools of the State of Wisconsin, to the Governor.

Rules and Regulations of the Public Schools of the City and County of San Francisco.

Proceedings of the California State Teacher's Institute, in session four days at San Francisco.

Thirteenth Annual Report of the Superintendent of Public Instruction of the State of California—three copies.

Ninth Annual Report of the Superintendent of Public Instruction of the State of New York.

Report of the Superintendent of Common Schools of Pennsylvania.

Twelfth Report of the Superintendent of Public Instruction of the State of Indiana, to the Governor.

Twenty-seventh Annual Report of the Board of Education of Massachusetts.

For the year 1864.—Report of the Superintendent of Common Schools of Pennsylvania.

For the year 1865.—School Laws of the State of West Virginia, for the use of School Officers.

Annual Report of the Superintendent of Public Schools of the State of New Jersey.

Eleventh Annual Report of the Superintendent of Public Instruction of the State of New York.

For the year 1866.—First, Second and Third Reports of the Corporation of Brown University, in the State of Rhode Island, in one volume.

Making in all, twenty-nine volumes, all in good order.

NAMES AND RESIDENCES OF COUNTY SUPERINTENDENTS.

COUNTIES.	SUPERINTENDENTS.	RESIDENCE.
Beaver	A. M. Farnsworth	Beaver
Box Elder	Wm. L. Watkins	Brigham City
Cache	Wm. Budge	Providence
Davis	Arthur Stayner	Farmington
Iron	John M. McFarlane	Cedar City
Juab	Thos. Ord	Nephi
Kane	Augustus P. Hardy	St. George
Millard	John Kelley	Fillmore
Morgan	John Boyden	Coalville
Piute		
Richland	James H. Hart	Bloomington
Salt Lake	Robt. L. Campbell	Salt Lake City
Sanpete	Wm. T. Reid	Manti City
Sevier		
Summit	Alonzo Winters	Hoytville
Tooele	A. Galloway	Tooele
Utah	Isaac Bullock	Provo City
Wasatch	Thos. H. Gilles	Heber City
Washington	Richard Bentley	St. George
Weber	Wm. W. Burton	Ogden City

SCHOOL STATISTICS, UTAH TERRITORY, 1867.

NAMES OF COUNTIES.	No. of Districts in county.	No. of districts reported.	No. of schools.	Grade of schools.	No. of male teachers.	No. of female teachers.	No. of boys in county between 4 and 16 years.	No. of girls in county between 4 and 16 years.	Total children between 4 and 16 years.	No. of male scholars enrolled.	No. of female scholars enrolled.	Total enrolled.	Per centage of names enrolled.	Average daily attendance.	Per centage of school population actually attending school.	Amount paid to male teachers.	Am'nt. paid to female teachers.	Total paid to teachers.	No. of months schools have been taught during the year.	Present condition of school buildings.	Amount of building funds raised.	Amount of taxes appropriated to the use of schools.
Beaver	2	2	3	common	2	2	354	288	642	235	149	384	59	300	42							
Box Elder	6	6	12	"	9	7	385	387	772	241	224	465	[illegible]	397	51½	1228 00	910 00	2147 00	6		371 00	357 00
Cache	21	19	25	"	20	11	922	882	1,804	539	516	1055	58½	757	41⅔	5575 00	1467 00	7042 00	8¾		5091 00	250 00
Davis	12	12	14	"	10	9	718	708	1,426	467	366	833	59⅚	615	43⅛	4977 00	1938 55	6915 55	5		1050 00	
Great Salt Lake	36	31	41	"	30	31	2328	2175	4,508	1262	1094	2356	52	1814	40⅙	14848 00	4722 00	19570 00	8½		6330 00	950 00
Iron	4	4	6	"	6	2	272	290	562	171	125	296	52⅝	227	40¼	1300 00	200 00	1500 00	4¾			200 00
Juab	4	4	4	"	3	2	278	316	594	110	96	206	34⅔	150	25⅛	700 00	300 00	1000 00	7½		3900 00	3900 00
Kane	10	6	4	"	2	3	113	109	222	30	55	85										
Millard	6	6	11	"	6	6	406	344	750	248	194	442	58⅞	312	41¾	945 00	483 00	1428 00	4⅗			
Morgan	10	7	7	"	6	5	189	157	346	142	121	263		216								
Piute *				"																		
Richland	7	7	5	"	4	6	181	186	367	124	109	233	63½	118	32⅛				6	GOOD		
Sanpete	8	8	14	"	11	12	1003	975	1,978	560	520	1130	57⅛	764	40⅛	4370 00	1902 00	6272 00	9½		200 06	5696 90
Sevier *				"																		
Summit	8	6	8	"	6	2	260	213	473	117	169	286	60½			1800 00	150 00	1950 00	6			
Tooele	6	5	5	"	4	2	301	268	569	214	174	388	68⅛	214	37½	1800 00		1800 00	7¾			
Utah	15	13	35	"	23	19	1850	1725	3,573	1189	1080	2269	63⅜	1685	47⅓	2181 40	299 80	2481 20	10⅝			865 00
Wasatch	4	4	4	"	3	2	231	228	459	164	134	298	65	225	49	1340 00	110 00	1450 00	7			
Washington	12	6	9	"	7	6	345	347	692	268	217	485		331		1446 00	665 00	2111 00	8		1150 00	
Weber	15	15	19	"	14	13	787	794	1,581	558	507	1065	67	587	36	1456 50	1766 00	3222 50	7½		6245 90	1075 70
	186	161	226		166	140	10923	10393	21,316	6689	5850	12539	58⅓	8749	41⅗	46880 20	14653 35	61539 55	8		27727 06	18224 60

* Abandoned in consequence of Indian hostilities.

A message was received from the Council announcing their non-concurrence in (H. F. No. 25,) "An act amendatory and supplementary to an act entitled an act, establishing a Territorial road from G. S. L. City, to Wanship, in Summit county," approved Jan. 19, 1866, substituting therefor accompanying bill, (C. F. No. 26,) "An act amendatory and supplementary to an act entitled an act establishing a territorial road from G. S. L. City, to Wanship, in Summit county, approved Jan. 19, 1866."

Said bill, (C. F. No. 26,) "An act amendatory and supplementary to an act entitled an act establishing a Territorial road from G. S. L. City, to Wanship, in Summit county, approved Jan. 19, 1866," was read the first time, and,

On motion of Mr. Rockwood, was read the second time and amended, and,

On motion of Mr. J. F. Smith, was referred to the committee on roads, bridges, etc.

(C. F. No. 19,) "An act prescribing rules and regulations for the execution of the trust arising under the act of Congress entitled an act for the relief of the inhabitants of cities and towns upon the public lands," approved March 2, 1867, was taken up on its second reading, and amended, and,

On motion of Mr. Reese, was read the third time by its title.

The title was read, approved, and the bill so passed.

A message was received from the Council, announcing their concurrence with the House amendments to the appropriation bill except reinstating the conditions in the A. Gardner item; also their amendment to said bill by the addition of $1,000 for improving the road between Kannarra and Harrisburg;" which amendment was concurred in by the House.

Mr. Allred, chairman of committee on roads, bridges, etc., to whom was referred "An act amendatory and supplementary to an act entitled an act establishing a Territorial road from G. S. L. City, to Wanship, in Summit County," reported the same back as amended, and recommended its passage.

Said amendments were read, and,

On motion of Mr. J. F. Smith, the House concurred in the amendment.

The title was read, approved, and the bill so passed.

Mr. Farr, chairman of committee on judiciary, to whom was referred (H. F. No. 1,) "An act relative to incorporations for manufacturing and other purposes," reported the same back amended.

On motion of Mr. West, the report was received and the bill laid on the table to come up in its order.

The following was received and read:

Committee Room, Salt Lake City, Feb. 21, 1868.

Mr. Speaker and Gentlemen of the House:

Your special committee, appointed to confer with a like committee of the Council, on the subject matter contained in (C. F. No. 10,) "An act providing for the organization of bodies corporate and politic, for the establishment of lyceums, libraries, reading rooms and museums, and for the improvements in the sciences, arts, literature, professions, trades and agricultural pursuits," respectfully report that, having given the subject due consideration, have waived the objections heretofore urged against the passage of said bill, and hereby recommend that said act pass.

J. C. WRIGHT,
Chairman of Special Committee of the House.

On motion of Mr. Cluff, the report was accepted, and,

Said bill, (C. F. No. 10,) "An act providing for the organization of bodies corporate and politic, for the establishment of lyceums, libraries, reading rooms and museums, and for improvements in the sciences, arts, literature, professions, trades, and agricultural pursuits," was read the second time, pending which, the House took a recess till 7 p.m.

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7 p.m.

House resumed its sitting.

"An act providing for the organization of bodies corporate and politic, for the establishment of lyceums, libraries, reading rooms and museums, and for improvment in the sciences, arts, literature, professions, trades and agricultural pursuits, pending which, the House took a recess, was read the second time, and,

On motion of Mr. Pratt, was not concurred in.

(H. F. No. 1,) "An act relative to incorporations for manufacturing, and other purposes," was read the second time, pending which,

On motion of Mr. Farr the enacting clause thereof was stricken out.

Resolution in relation to certain remittances of delinquent taxes was taken up on its second reading, and,

On motion of Mr. West, was read the third time by its title and adopted.

The following report was received and read:

Committee Room, Feb. 21, 1868.

Mr. Speaker and Gentlemen of the House:

Your committee on library, to whom was referred the motion of Mr. Rockwood, relative to the removal of the Utah Library to the City Hall, have ascertained that a suitable room can be obtained for that purpose, and would beg leave to report the accompanying resolution, and recommend its adoption.

Respectfully,
W. B. PACE, Chairman of Committee.

Said resolution, authorizing the removal of the Utah Library to the City Hall was read the first time, and,

On motion of Mr. Pratt, was read the second time, and,

On motion of Mr. Lyman, was read the third time by its title and so adopted.

Mr. Rich, Chairman of joint committee of conference on (C. F. No. 25,) "An act amending an act, regulating estray pounds, and for other purposes," reported back that the committee had arrived at no definite conclusion.

The bill was returned to the Council.

The following was received and read:

Council Chamber, Feb. 21, 1868.

Hon. John Taylor, Speaker, etc.

The Council concurs in your amendments to the Wanship road bill, but do not concur in House substitute for (C. F. No. 13,) in relation to amending city charters, and have appointed Councilors E. Snow, Carrington and Smoot a committee of conference on (C. F. No. 13.)

Very respectfully,
GEO. A. SMITH, President of Council.

On motion of Mr. Farr, the House concurred in (C. F. No. 13,) "An act in relation to amending city charters."

The following was received and read:

Council Chamber, Feb. 21, 1868.

Hon. John Taylor, Speaker, etc.

The Council has passed (C. F. No. 27,) "An act amending an act granting to Henry S. Alexander the right to build a bridge, etc.," and is forwarded for your action thereon.

Very respectfully,
GEO. A. SMITH, President of Council.

Said bill, (C. F. No. 27,) "An act amending an act granting unto H. S. Alexander the right to etablish a bridge across the Weber river, in Summit county," was read the first time, and,

On motion of Mr. Rockwood, was concurred in by the House.

A message was received from the Council, announcing their concurrence in (H. F. 31,) "An act defining the meaning of the term Common Schools, and in relation to the further duties of Territorial and County Superintendents of Common Schools."

Mr. Allred presented (H. F. No. 40,) resolution appropriating money for the relief of certain families," which was read the first time, and,

On motion of Mr. Wright, was read the second time, and,

On motion of Mr. Rockwood, was laid on the table as unfinished business.

(C. F. No. 23,) "An act to amend an act creating the office of selectmen and prescribing their duties, also the duties of the County Courts," was read the second time, and,

On motion of Mr. Rowberry, was read the third time by its title.

The title was read, approved, and the bill so passed.

(H. F. No. 24,) "An act pertaining to damage done by animals," was taken up on its second reading, and,

On motion of Mr. S. S. Smith, was laid on the table as unfinished business.

(H. F. No. 34,) "An act authorizing the re-location of the Territorial road from Wanship to Coalville, in Summit county," was read the first time, and, On motion of Mr. Thurber, was read the second time, and,

On motion of Mr. Pratt, wass read the third time by its title.

The title was read, approved, and the bill so passed.

A message was received from the Council, announcing their passage of (C. F. No. 28,) "An act to provide for convening the eighteenth and subsequent annual sessions of the Legislative Assembly and forwarding the same for the action of the House.

Said bill, (C. F. No. 28,) "An act to provide for the convening of the eighteenth and subsequent annual sessions of the Legislative Assembly," was read, and,

On motion of Mr. Pratt, the House concurred.

A message was received from the Council, announcing their concurrence in (H. F. No. 33,) resolution for remittances of delinquent Territorial taxes, also their amendment to the resolution authorizing the removal of the Library to the City Hall, which amendments were concurred in by the House.

(H. F. No. 38,) "An act to provide for printing and distributing the Laws and Journals of the Seventeenth Annual Session of the Legislative Assembly, was read the first time, and,

On motion of Mr. Lyman, was read the second time, and,

On motion of Mr. Evans, was read the third time by its title.

The title was read, approved and the bill so passed.

The following communication was received and read:

Executive Office, Utah, Salt Lake City,
February 21, 1868.

Hon. John Taylor, Speaker of the
House of Representatives:

Sir:—A bill entitled "An act defining the eastern boundary of Juab county," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

Very Respectfully,
CHARLES DURKEE, Governor.

The following communication was received and read:

Executive Office, Utah, Salt Lake City,
February 21, 1868.

Hon. John Taylor, Speaker of the
House of Representatives:

Sir:—I am constrained to withhold my approval from the act entitled "An act regulating the terms of the Supreme and District Courts of the Territory of Utah," which I have the honor herewith to return to the House, in which it originated.

I cannot but regard this act as being calculated to retard rather than expedite the collection of debts, and the final settlement of litigated questions, in so far as it has this effect: It could not but tend to diminish the credit at home and abroad, of the entire mercantile community, and re-act most unfavorably upon the people.

Among the objections which have impressed themselves on my mind, I note the following, viz: First, The change of the term of the Supreme Court from October to January, retards, by at least one year, the facilities afforded by last year's Legislature, for prosecuting appeals from the Territorial Supreme Court to the Supreme Court of the United States. I have not been able to perceive any sufficient reason for this change.

The second section is regarded as obnoxious, in that it prescribes that at the sessions of the District Court no case can be tried which has not been commenced ten days prior to the commencement of the term. The inevitable effect of this provision is to compel parties to institute actions prior to the ten days before each regular term, or be debarred from having their cause heard and determined until six months thereafter in the Third District, and one year in the First and Second Districts. While fruitless litigation should not be encouraged, yet it is nevertheless true, that every proper facility for settling disputes should be afforded. So far as public interests will admit, the Courts should be, at all times, open to the suitor for the speedy adjudication of rights. The second section, in my view, militates directly against this proposition, and while, in one sense, it perhaps tends to the needless institution of lawsuits; another, it retards the settlement of controverted cases.

I may add, that the fixing of two terms for the District Court, in the Third District, as prescribed in the first section, is a wise and commendable provision, but for the reasons suggested, I must withhold my approval from the entire act.

Very respectfully,
CHARLES DURKEE, Governor.

The following communication was received and read:

Executive Office, Utah, Salt Lake City,
February 21st, 1868.

Hon. John Taylor, Speaker of the
House of Representatives:

Sir:—The bill entitled "An act defining the time of commencing civil actions," I have carefully examined, and find that it makes an invidious distinction between residents and non-residents of this Territory. This seems to me unjust. Besides the time—two years limitation—I think too short for the enforcement of contracts. Should this bill become a law, I feel sure it would injure the credit of our merchants abroad. It might also in some cases, work great injury to the creditor. For instance, where indulgence has already been granted for two years, the creditor would be deprived of all legal remedy in the enforcement of his claim.

I think well of a limitation law in relation to all claims that may arise in the transactions of business, as indicated in my last annual Message; but this bill comes so far short of what I deem to be a proper law on this subject, I feel it my duty to withhold my signature from the same.

Respectfully,
CHARLES DURKEE, Governor.

Mr. Rockwood presented the following report:

Committee Room, Salt Lake City, Feb. 21, 1868.

To the Hon. the House of Representatives:

Gentlemen:—Your special committee, appointed to collect historical, geographical and other information, beg leave to report progress.

At the commencement of this session they asked for and obtained leave to print a circular, which was read to the House, calling for such information in answer to questions propounded by your committee, as would elicit the information desired. Many of these circulars have been forwarded and replies received; some of them are not yet answered.

The Committee report their labors in progress and respectfully forward to the table the papers collected, embracing many valuable items pertaining to the early settlement and history of Utah Territory.

The chairman of your committee has consulted with the Hon. Geo. A. Smith, Historian, who has kindly volunteered the use of his office, that they may be there deposited and had for future reference. Your committee recommend that the House accept of the offer.

A. P. Rockwood, Chairman.

On motion of Mr. Pratt, the report was received and the committee instructed to accept of the offer of the Historian, and that the committee continue their duties.

A message was received from the Council, announcing their concurrence in (H. F. No. 39,) "An act authorizing the re-location of the Territorial road from Wanship, to Coalville, Summit county" also their adoption of accompanying memorial to Congress, praying for an appropriation to defray the expenses of the late Indian war in Utah.

Said memorial to Congress was read, and,

On motion of Mr. Pratt, the House unanimously concurred in its adoption.

Committee Room, Feb. 21, 1868.

To the Speaker and Members of the House:

Gentlemen:—Your committee, who was appointed in connection with a like committee from the Council, have, agreeable to instructions, been and examined the Territorial, Auditor's and Treasurer's books, and redeemed Auditor's Warrants, all of which they found to be correct and caused the said redeemed Auditor's Warrants to be destroyed.

Very respectfully,

Lorin Farr, Chairman of Committee from the House.

On motion of Mr. Rich, the report was received and the committee discharged from the further consideration of the subject.

Mr. Thurber moved that the Council be notified that our table is clear of business, except that pertaining to joint session. Seconded and carried.

A message was received from the Council, communicating their readiness to go into Joint Session, when convenient, with the House.

The House went into Joint Session.

(SEE JOINT SESSION MINUTES.)

Joint Session dissolved.

The following communication was received and read:

Executive Office, Utah, Salt Lake City,
February 21st, 1868.

Hon. John Taylor, Speaker of the
House of Representatives:

Sir:—A resolution remitting Territorial taxes, also a bill entitled "An act authorizing the re-location of the Territorial road from Wanship to Coalville, in Summit county," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

Very Respectfully,
CHARLES DURKEE, Governor.

The following communication was received and read:

Executive Office, Utah, Salt Lake City,
February 21st, 1868.

Hon. John Taylor, Speaker of the
House of Representatives:

Sir:—I have this day approved, signed and deposited in the office of the Secretary of the Territory, "The Territorial Appropriation Bill."

Respectfully,
CHARLES DURKEE, Governor.

On motion of Mr. Rockwood, Messrs. Pratt, Young and Rich were appointed a committee to wait upon the Council, and inform them the table of the House was clear of business.

Mr. Pratt, in behalf of the committee appointed to wait upon the Council, reported that they had waited upon the Council and announced that the table of the House was clear of business, but learned that the Council had several bills which had not yet been engrossed.

The following communication was received and read:

Executive Office, Utah, Salt Lake City,
February 21, 1868.

Hon. John Taylor, Speaker of the
House of Representatives:

A resolution authorizing the removal of the Utah Library to the City Hall; also "An act defining the meaning of the term Common Schools, and in relation to the further duties of County and Territorial Superintendents of Common Schools," I have this day approved, signed and deposited in the office of the Secretary of the Territory.

CHARLES DURKEE, Governor.